

ADJOURNMENT.

On motion of Senator Harbison, the Senate, at 7:35 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

FORTY-FIRST DAY.

Senate Chamber,
Austin, Texas, Friday, March 20, 1903.

Senate met pursuant to adjournment.
President Pro Tem. Davidson of DeWitt in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Morris.
Faubion.	Patteson.
Faulk.	Paulus.
Faust.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Willacy.
Henderson.	Wilson.

Absent.

Beaty.	Grinnan.
Douglass.	

ROLL CALL OF OFFICERS AND EMPLOYEES.

Present.

Clyde D. Smith.
W. E. DeLamar.
R. M. Gilmore.
Amos Wynne.
W. M. Cobb.
Eldred McKinnon.
Mrs. Laura V. Grinnan.
F. P. Smith.
Miss Lucy Lane.
C. H. Allen.
D. F. Hughes.
Frank Mullins.
C. J. Kirk.
Rev. I. S. Davenport.
Miss May Fant Odom.
J. C. Son.
Miss Georgia Sturgiss.
Mrs. Hattie Yarbrough.
Mrs. Hope H. Hawkins.
Miss Emily Holcomb.
Mrs. J. R. Van Orden.
Miss Bessie Goldstein.
Miss L. Stanley.
W. T. Pace.
W. A. Shaw, Jr.

Lucien Goss.
Herbert Davenport.
Charlie Lane.
Willie Gibson.
Henry Paulus.
Evetts Thornhill.
Walter Savage.
Jas. Sebastian.
Willie Gray.
Jamie Snipes.
Ed Underhill.
Will Bartley.
Reed Pierson.
Josh Pyles.
Ellis Monroe.
Albert Hill.
Dan Edwards.
Mark Marsh.
Jim Hill.

(Senator Henderson in the chair.)

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday,

On motion of Senator Patteson, the same was dispensed with.

EXCUSED.

On motion of Senator Faust, Mrs. Hawkins was excused from attendance upon the Senate for today and tomorrow on account of important business.

On motion of Senator Decker, Senator Douglass was excused from attendance upon the Senate for Wednesday and yesterday on account of sickness.

On motion of Senator Patteson, James Sebastian, page, was excused from attendance upon the Senate indefinitely on account of sickness.

COMMITTEE REPORTS.

The following committee reports were offered:

Committee Room,
Austin, Texas, March 20, 1903.

Hon Geo. D. Neal, President of the Senate.

SIR: Your Committee on Public Health and Vital Statistics, to whom was referred

Senate bill No. 168, A bill to be entitled "An Act to carry into effect Section 32, of Article 16, of the Constitution of the State of Texas, in relation to vital certificates; to enlarge the scope and powers of the existing health system of the State for the better perfection of public health; to change the name of the Quarantine Department to the Department of Public Health and Vital Statistics within said department; to authorize the State Health Office to prepare, promulgate and enforce, under suitable penalties, for violation of its provisions a san-

itary code for the State of Texas, and regulations for the record and preservation of its vital statistics; and to repeal all laws and parts of laws in conflict with this act."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do not* pass, but that the accompanying substitute *do* pass in lieu thereof:

S. S. B. No. 168.] [By Committee.

A BILL

TO BE ENTITLED

An Act to carry into effect Section 32, of Article 16, of the Constitution of the State of Texas, in relation to a State Board of Health and Vital Statistics; to change the name of the Quarantine Department to the Department of Public Health and Vital Statistics, and to create and establish a State Bureau of Vital Statistics within said department, and to provide for the record and preservation of its vital statistics, etc.

Section 1. Be it enacted by the Legislature of the State of Texas: That a Bureau of Vital Statistics is hereby created and established within the Quarantine Department, and that the name of said department is hereby changed to the Department of Public Health and Vital Statistics.

Sec. 2. All physicians, surgeons or accoucheurs who may attend to the birth of a child, or in the absence of such attendance, either parent of the child, shall report the fact to the clerk of the county court, together with the race to which the child belongs, and whether legitimate or otherwise, of foreign or native parents, whether still-born or alive, within ten days after said birth occurs, under a penalty of five dollars for each failure to do so, to be collected as other fines for misdemeanors are.

All physicians, surgeons, accoucheurs and coroners cognizant of a death, shall report the same, together with the race, nativity, sex, age, residence, whether alien or citizen, and the cause of death, to the clerk of the county court within ten days after the occurrence, under a penalty of not less than five dollars nor more than fifty dollars for each failure to do so; these data to be recorded as a part of the vital statistics of the county and State, and the clerk of the county court shall be paid by the county twenty-five cents for each birth or death so recorded, and he shall report monthly all these data to the Department of Public Health and Vital Statistics. In default of so reporting he shall be fined not less than fifty dollars for each offense.

The fact that there is no provision for or system of preserving the vital statistics of the State, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and that this act take effect and be in force from and after its passage, and it is so enacted.

MARTIN, Acting Chairman.

BILLS AND RESOLUTIONS.

By Senator McKamy:

Senate bill No. 317, A bill to be entitled "An Act to amend Sections 8, 12, 120, 141, 145 and 170 of the charter of the city of Dallas, as the same exists by virtue of an act entitled 'An Act to incorporate the city of Dallas, and to grant it a new charter,' approved May 9, 1899, and an act amendatory thereto entitled 'An Act to amend Sections 12, 56, 77, 119 and 120 of an act entitled 'An Act to incorporate the city of Dallas, and to grant it a new charter,' approved May 9, 1899,' said sections relating to voting precincts, eligibility to office, collection of taxes, the appropriation of revenue and the issuance of bonds by the said city, to the board of appeals of the said city and its duties, and to the responsibility of the city for damages."

Read first time, and referred to Committee on Towns and City Corporations.

By Senator Paulus:

Senate bill No. 318, A bill to be entitled "An Act to amend Articles 3763, 3764, 3765, 3766, 3767, 3768, 3769, 3770, 3771 and 3775, Title LXXXI, of the Revised Civil Statutes of the State of Texas, and to add thereto Articles 3776a, 3776b and 3776c, providing penalties for the breach of said title, regulating the practice of pharmacy within the State of Texas."

Read first time, and referred to Committee on State Affairs.

Morning call concluded.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has pending a motion to reconsider the vote by which the Free Conference Committee report was adopted on Senate bill Nos. 65 and 8.

That the House has passed

Senate bill No. 6, A bill to be entitled "An Act to create a more efficient road law for Henderson county, Texas," with amendments.

Also,

House concurs in Senate amendments to House bill No. 154, the same being Coryell county road law.

Respectfully,

MARK LOGAN,

Acting Chief Clerk, House of Representatives.

(President Pro Tem. Davidson of De Witt in the chair.)

HOUSE BILL NO. 381.

On motion of Senator Patteson, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, House bill No. 381.

Senator Henderson moved that the Senate rescind its vote by which House bill No. 381 was passed to a third reading.

The motion prevailed.

The Chair laid before the Senate, on its second reading.

House bill No. 381, A bill to be entitled "An Act to create the Sixty-second Judicial District of Texas; to name the counties composing said district; to prescribe the time of holding the terms of the district court in said district, empowering the judge of the Sixth Judicial District to empanel the grand jury for Lamar county, and empowering the judge of the Eighth Judicial District to empanel the grand jury for Hunt and Delta counties, and giving authority to the judges of either the Sixth or Sixty-second Judicial Districts in the county of Lamar to transfer cases from their respective courts to the other of said courts, and giving authority to the judges of either the Eighth or Sixty-second Judicial Districts in the counties of Hunt and Delta to transfer cases from their respective courts in each of said counties to the other of said courts; and to provide for the appointment of a district judge for the Sixty-second Judicial District of Texas, and declaring an emergency."

Senator Patteson offered the following amendment:

"Amend by striking out all of Section 1 after and including line 27, on page 1, and insert in lieu thereof the following:

"In the county of Delta beginning on the fourth Monday in January, and may continue in session one week.

"In the county of Hunt beginning on the fourth Monday in January, and may continue in session six weeks, and on the third Monday in May, and may continue in session eight weeks.

"In the county of Lamar beginning on the first Monday in August, and may continue in session eight weeks, and on the first Monday in December, and may continue in session until Saturday night

next before the fourth Monday in January."

The amendment was adopted.

Senator Patteson offered the following amendment:

"Amend by striking out 'Delta' county where it occurs in Section 5 of the bill."

The amendment was adopted.

Senator Patteson offered the following amendment:

"Amend by striking out 'Delta' county wherever it occurs in Section 7 of the bill."

The amendment was adopted.

Senator Patteson offered the following amendment:

"Amend by inserting after Section 7 and before Section 8, Section 7a, which shall read as follows:

"Section 7a. The district court of the Eighth Judicial District, and the Sixty-second Judicial District in the county of Delta, shall have concurrent jurisdiction with each other throughout the limits of Delta county in all civil matters of which jurisdiction is given the district courts by the Constitution and laws of the State of Texas; provided, that the district court of the Sixty-second Judicial District shall not in the county of Delta have power to empanel a grand jury or take any other cognizance or jurisdiction of any criminal matters, except for a writ of habeas corpus; provided further, that the district court of the Sixty-second Judicial District in the county of Delta shall have no power to summon or have summoned, or empanel or have empaneled, any jury in any cause in said court; provided further, that when either party to a suit in the Sixty-second Judicial District shall demand and pay for a jury in Delta county the judge thereof shall transfer said cause to the Eighth Judicial District court."

The amendment was adopted.

Senator Patteson offered the following amendment:

"Amend by inserting after Section 7a, Section 7b, which shall read as follows:

"Section 7b. Either of the judges of the district courts of the county of Delta may, in their discretion, either in term time or vacation, transfer any case or cases, of a civil nature that may at any time be pending in his court, to the other district court in said Delta county by order or orders entered upon the minutes of the court, making such transfers, and when such transfer, or transfers, are made the clerk of said court shall enter such case or cases upon the dockets of the court to which such transfer or transfers are made, and when so entered upon the docket the judge of said court shall try and dispose of said case or cases in the same manner as if such cases were

originally filed in said court; provided, that nothing herein contained shall ever empower the judge of the Eighth Judicial District to transfer any jury case pending on his docket to the docket of the Sixty-second Judicial District.”

The amendment was adopted.

Bill was read second time, and passed to a third reading.

On motion of Senator Patteson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Morris.
Faubion.	Patteson.
Faulk.	Paulus.
Faust.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Willacy.
Henderson.	Wilson.
Hicks.	

Nays—1.

Brachfield.

Absent.

Beaty.	Grinnan.
Douglass.	

The bill was read third time, and passed by the following vote:

Yeas—26.

Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Morris.
Faubion.	Patteson.
Faulk.	Paulus.
Faust.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Willacy.
Henderson.	Wilson.

Nays—2.

Brachfield. Martin.

Absent.

Beaty.	Grinnan.
Douglass.	

Senator Patteson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 210—SAN ANTONIO CHARTER.

On motion of Senator Hicks, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 210.

PRIVILEGED MOTION.

Senator Harbison moved to reconsider the vote by which the Free Conference Committee report on Senate bill No. 65 was adopted, and lay that motion on the table.

The motion to table prevailed.

PENDING BUSINESS.

The Chair laid before the Senate, on its second reading,

Senate bill No. 210, A bill to be entitled “An Act to incorporate the city of San Antonio, and to repeal an act of the Legislature of the State of Texas, approved August 13, 1870, entitled ‘An Act to incorporate the city of San Antonio, and grant a new charter to said city,’ and to repeal an act entitled ‘An Act to incorporate the city of San Antonio,’ approved July 17, 1856, and an act entitled ‘An Act to amend the act to incorporate the city of San Antonio,’ approved February 11, 1860, and also to repeal all acts amendatory of said act, approved August 13, 1870, and declaring an emergency.”

Senator Hicks offered the following amendment:

“Amend Section 3, page 2, line 20, by adding after the word ‘electors’ the following words, ‘the boundaries of.’”

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

“Amend Section 4, page 3, line 5, by adding after the word ‘Constitution’ the words ‘and laws.’”

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

“Amend Section 10, page 4, line 19, by adding the word ‘or’ after the word ‘misconduct,’ and striking out on same page, line 20, the words ‘or drunkenness not amounting to habitual drunkenness.’”

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

“Amend Section 15, page 5, line 32, by adding after the word ‘council’ the following: ‘Provided, that should a vacancy occur in the office of mayor, prior to nine months before any city election, then it shall be the duty of the council to order an election to fill such vacancy, in the same manner as a regular election is called, and said election shall be gov-

erned by the same laws as a regular election.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 16, page 6, line 6, by striking out, after the word 'established,' the word 'all' and substituting in its stead the word 'any.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 17, page 6, line 9, by striking out after the word 'mayor,' the words 'with or without cause,' and inserting instead the following: 'For any reason he may deem sufficient.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 17, page 6, line 14, by striking out all in said section after the word 'qualified,' and substitute the following: 'Provided, that no person shall be dismissed or discharged for political reasons, and provided that in case of the discharge of any appointive officer by the mayor, the mayor, shall file his reasons in writing for such discharge with the city clerk at the time of such discharge, and such reason shall be open to public inspection.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 19, page 6, line 25, by striking out the words 'tempore two hundred dollars,' and inserting the following: 'Tempore shall receive the same salary as the mayor, when acting as such, in addition to his salary as alderman, but shall not receive both salaries for the same day.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 21, page 7, lines 31 and 32, by striking out after the word 'shall,' in line 31, the words 'give the casting vote,' and insert in lieu thereof the words 'cast the deciding vote.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 30, page 10, line 19, by striking out the word 'the' and inserting the word 'a.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 30, page 10, line 22, by striking out the words 'stocks, bonds, notes.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 33, page 12, line 2, by

inserting after the word 'be,' the following: 'An expert bookkeeper and shall be.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 33, page 12, line 7, by striking out the word 'to' and inserting in lieu thereof the word 'by.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend after Section 34, page 12, the following section, which shall be numbered 34a:

"34a. The police and fire departments of the city shall be placed under civil service regulation and be controlled by a board of civil service commissioners, known as the Board of Police and Fire Commission, and such board shall have the care, management and control of the police and fire departments of said city, and the selection, management, control and discharge of all persons serving on the police and fire departments of said city. Said board shall be composed of three commissioners, one of whom shall be elected at the next regular election in said city, as provided for the election of other elective officers of said city. Another of said commissioners shall be appointed by the mayor within thirty days after said election and confirmed by the city council, and another of said commissioners shall be appointed by the judge of the Thirty-seventh Judicial District of Texas. Each commissioner shall be a qualified voter of the city of San Antonio, and each commissioner shall serve for the term of two years from the date of his appointment or election trict of Texas. Each commissioner shall without pay. Said board shall have the right to make rules and regulations for its management, and for the selection and discharge of all persons serving on the police and fire departments of said city, and all persons selected by said board to serve as policemen or firemen shall hold their office during good behavior, and shall not be discharged for political reasons, and in no event shall said persons be discharged except for good cause and after charges have been filed and due hearing had thereon. And the power of appointment given by the mayor elsewhere in this charter shall not apply to persons serving in the police and fire departments of the city.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 25, page 12, line 31, by striking out the figure '2' and inserting figure '3.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 46, page 16, line 8, by striking out after the word 'thereof' the balance of said section 46."

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 52, page 17, line 13, by inserting after the word 'of' the words 'numbers and.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 53, page 18, line 1, by striking out the word 'pay' and inserting in lieu thereof 'payment.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 53, page 18, line 26, by adding after the word 'Texas,' the words 'of Bexar county, Texas.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 54, page 19, line 5, by striking out the word 'or' and inserting the word 'and.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 54, page 20, line 1, by striking out the figures '49' and inserting the figures '53.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 54, page 20, line 1, by adding after the word 'charter' the following: 'Or bonds of such improvement district.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 55, page 20, line 10, after the word 'qualified' by adding the word 'property.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 55, page 20, line 10, by adding after the word 'provided' the following: 'Except as provided for in Section 52 hereof.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 55, page 20, line 13, after the word 'roll' the following: 'Provided that in estimating the total bonded debt of the city the bonded debt of any improvement district shall not be counted.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 57, page 20, line 26, by inserting after the word 'for' the words 'any or.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 63, page 22, line 14, by inserting after the word 'telegraph' the words 'and telephone.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 63, page 22, line 23, after the word 'public' the following: 'Provided, that telephone companies shall be allowed to make eight per cent net on their investments.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 66, page 23, line 3, by striking out the word 'may' and inserting the word 'shall.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 66, page 23, line 3, by adding after the word 'trustees' the following: 'And the city council shall annually levy and collect a tax of two cents on each one hundred dollars valuation of all property situated in said city, for the support and maintenance of what is known as the Carnegie Library in said city, and said fund shall be protected for the uses of said library in the same manner as the interest and sinking fund for the benefit of the bonded debt is now protected by law.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 94, page 28, line 28, by striking out the word 'of' and inserting the word 'or.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 96, page 29, line 17, by striking out the word 'other' and inserting after the word 'person' the word 'other.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend page 31, by striking out entirely Section 102."

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 107, page 33, line 3, by adding after the word 'valuation' the following: 'Provided, that said tax of one dollar up on every one hundred dollars valuation levied for special pur-

poses, shall include all taxes for the purpose of carrying on the city schools, whether said taxes for school purposes are levied by the city council or by any other board having authority to make such levy."

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 107, page 33, line 6, by striking out the words 'stocks, bonds, notes.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 109, page 33, line 30, by inserting after the word 'Texas' the following: 'Or of the city of San Antonio, or of Bexar county, Texas.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 111, page 34, line 19, by inserting after the word 'San Antonio' the following: 'or of Bexar county, Texas.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend page 34, Section 112, line 29, after the word 'certified' the following: 'provided that the regular force of city employes in the service of the city as day laborers shall not be added to or increased at any time within thirty days prior to the date of any State and county or city election.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 113, page 34, line 32, by inserting after the word 'treasurer' the following: 'Which shall be numbered.'"

The amendment was read, and adopted.

Senator Hicks offered the following amendment:

"Amend Section 113, page 35, line 2, by inserting after the word 'months' the following: 'And by numbers.'"

The amendment was read, and adopted.

Bill was read second time, and ordered engrossed.

On motion of Senator Hicks, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Brachfield.	Grinnan.
Cain.	Hale.
Davidson of	Hanger.
Galveston.	Harbison.
Decker.	Harper.
Faulk.	Henderson.
Faust.	Hicks.

Hill.
Lipscomb.
Martin.
McKamy.
Mills.
Morris.

Patteson.
Paulus.
Savage.
Stafford.
Willacy.

Nays—1.

Davidson of
DeWitt.

Absent.

Beaty.
Douglass.
Faubion.

Perkins.
Sebastian.
Wilson.

Bill was read third time, and passed by the following vote:

Yeas—28.

Brachfield.
Cain.
Davidson of
Galveston.

Hill.
Lipscomb.
Martin.
McKamy.

Decker.
Faubion.
Faulk.
Faust.
Grinnan.
Hale.
Hanger.
Harbison.
Harper.
Henderson.
Hicks.

Mills.
Morris.
Patteson.
Paulus.
Perkins.
Savage.
Sebastian.
Stafford.
Willacy.
Wilson.

Nays—1.

Davidson of
DeWitt.

Absent.

Beaty.

Douglass.

Senator Hicks moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 20, 1903.

Hon. Geo D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has tabled the motion to reconsider the vote by which the House adopted the Free Conference Committee report to Senate bill No. 65.

Respectfully,
BOB BARKER,
Chief Clerk.

PRIVILEGED MOTION.

Senator Paulus called up Senate bill No. 32, and moved that the Senate concur in the House amendments.

The motion prevailed.

SENATE BILL NO. 114 SIGNED.

The Chair (President Pro Tem. Davidson of DeWitt) gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read:

Senate bill No. 114, "An Act requiring all railway corporations operating a line of railway in the State of Texas to place switch lights on all their main line switches, and to keep the same lighted from sunset to sunrise, and requiring all railway corporations operating a line of railway in the State of Texas to place derailing switches on all sidings connecting with the main line, and upon which sidings cars are left standing, and providing penalties and remedies for the violation of the provisions of this act, and providing an emergency."

SENATE BILL NO. 289

On motion of Senator Mills, pending business (Senate bill No. 118) was suspended, and the Senate took up, out of its order, Senate bill No. 289.

The Chair laid before the Senate, on second reading,

Senate bill No 289, A bill to be entitled "An Act making it unlawful for any fire, fire and marine, marine, tornado, rent, accident, casualty, liability, health, elevator, disability, plate glass, steam boiler, burglary, bonding, title, surety or fidelity insurance company, which is legally licensed to transact insurance business in this State to place any contract or policy of insurance on any property of persons in this State, except through legally authorized and licensed agents resident in this State, to prohibit said resident agents so licensed from paying commissions or brokerage on business written to non-residents of the State of Texas not so licensed, to further prescribe conditions to be complied with by said insurance companies before authorizing it to transact business in this State, to empower the Commissioner of Insurance to investigate violations of these requirements and to provide penalties for enforcing the provisions of this act, and to increase the public revenue and to repeal Chapter 135, of the General Laws of the Twenty-fifth Legislature of the State of Texas."

Senator Wilson offered the following amendment:

"Strike out 'steam boiler' in the caption and wherever it appears in the bill."

The amendment was adopted.

Bill was read second time, and ordered engrossed.

On motion of Senator Mills, the constitutional rule requiring bills to be read on three several days was suspended, and

the bill put on its third reading and final passage by the following vote:

Yeas—27.

Brachfield.	Hicks.
Cain.	Lipscomb.
Davidson of	Martin.
DeWitt.	McKamy.
Davidson of	Mills.
Galveston.	Morris.
Decker.	Patteson.
Faubion.	Paulus.
Faulk.	Perkins.
Faust.	Savage.
Grinnan.	Sebastian.
Hanger.	Stafford.
Harbison.	Willacy.
Harper.	Wilson.
Henderson.	

Absent.

Beaty.	Hale.
Douglass.	Hill.

Bill was read third time, and passed by the following vote:

Yeas—28.

Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Morris.
Faubion.	Patteson.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Willacy.
Henderson.	Wilson.

Absent.

Beaty.	Hale.
Douglass.	

Senator Mills moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 283.

On motion of Senator Cain, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, House bill No. 283.

The Chair laid before the Senate, on second reading,

House bill No. 283, A bill to be entitled "An Act to amend Article 1222, page 274, Revised Civil Statutes of 1895, relating to service of citation in suits against incorporated companies and joint stock companies."

(Senator Stafford in the chair.)

Bill was read second time, and ordered engrossed.

On motion of Senator Cain, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Brachfield.	Lipscomb.
Cain.	Martin.
Davidson of	Mills.
Galveston.	Morris.
Decker.	Patteson.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Willacy.
Hicks.	Wilson.
Hill.	

Absent.

Beaty.	Faubion.
Davidson of	Hale.
DeWitt.	Henderson.
Douglass.	McKamy.

Bill was read third time, and passed by the following vote:

Yeas—24.

Brachfield.	Martin.
Cain.	McKamy.
Davidson of	Mills.
Galveston.	Morris.
Decker.	Patteson.
Faubion.	Paulus.
Faulk.	Perkins.
Faust.	Savage.
Grinnan.	Sebastian.
Harper.	Stafford.
Hicks.	Willacy.
Hill.	Wilson.
Lipscomb.	

Absent.

Beaty.	Hale.
Davidson of	Hanger.
DeWitt.	Harbison.
Douglass.	Henderson.

Senator Cain moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 143.

On motion of Senator Faust, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 143.

The Chair laid before the Senate, on second reading,

Senate bill No. 143, A bill to be entitled "An Act prescribing how and by whom tickets of railroads shall be sold, and providing for the redemption of tickets and parts of tickets unused, and prescrib-

ing penalties for the violation of this act," with the following committee amendments:

"Amend by adding to Section 6 the following:

"Any officer or agent of any railroad company or receiver of any railroad company or any officer or agent of any such receiver who shall sell any ticket or part ticket or any other evidence of the holder's right or the right of any person to travel on any railroad within this State without such notice printed therein, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten nor more than one hundred dollars for each offense."

The committee amendment was adopted.

Senator Brachfield offered the following amendment:

"Amend Section 5 by striking out after the word 'entitled,' in line 25, down to the word 'provided,' in line 28, and insert in lieu thereof the following:

"To be reimbursed to value of the unused portion of said ticket at the rate per mile paid for same."

The amendment was adopted.

Senator Patteson offered the following amendment:

"Amend by striking out 'ten days to redeem unused tickets,' and insert 'twenty days,' line 2, page 3."

The amendment was adopted.

Bill was read second time, and ordered engrossed.

On motion of Senator Faust, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Morris.
Faubion.	Patteson.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harbison.	Willacy.
Harper.	Wilson.

Present—Not voting.

Martin.

Absent.

Beaty.

Douglass.

Bill was read third time, and passed by the following vote:

Yeas—26.

Brachfield.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	Mills.
Decker.	Morris.
Faubion.	Patteson.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harper.	Willacy.
Henderson.	Wilson.

Nays—2.

Cain.	Harbison.
	Absent.
Beaty.	McKamy.
Douglass.	

Senator Faust moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

FREE CONFERENCE COMMITTEE REPORT.

Hon. Geo. D. Neal, President of the Senate, and Hon. Pat M. Neff, Speaker of the House:

SIRS: We, your Free Conference Committee appointed to adjust the differences between the House and Senate on Senate bill No. 21, recommend that the Senate concur in the House substitute to said bill, with the following amendments:

"Amend by adding at the end of Section 9 the following:

"Provided, however, that in all cases where lands infested with prairie dogs owned by non-residents and such land or lands are being used by some other person, or enclosed under the fence of another who is paying the owner thereof no compensation for the use thereof, then in all such cases the duty herein imposed as to the extermination of such prairie dogs shall devolve upon the person so using such land or lands or having the same enclosed under his fence."

"Amend the bill by adding thereto the following section, to wit:

"Section 9a. The venue of all suits for damages under this act shall be in the county or precinct where the lands of the plaintiff are situated."

SAVAGE,
DECKER,
HANGER,
HILL,
SEBASTIAN,

On part of the Senate.

HUDSPETH,
WARE,
BRYAN,
SCHLUTER,
CRAWFORD of Young,
On part of the House.

Senator Savage moved that the report be adopted.

The motion prevailed by the following vote:

Yeas—25.

Brachfield.	Lipscomb.
Cain.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Morris.
Faubion.	Patteson.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Hicks.	Willacy.
Hill.	Wilson.

Nays—1.

Harper.

Absent.

Beaty.	Douglass.
Davidson of	Hale.
DeWitt.	Henderson.

Senator Savage moved to reconsider the vote by which the report of the Free Conference Committee was adopted, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 63.

On motion of Senator Morris, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, House bill No. 63.

The Chair laid before the Senate, on second reading,

House bill No. 63, A bill to be entitled "An Act prohibiting the sale or gift of spirituous, vinous or malt liquors, or medicated bitters capable of producing intoxication, to habitual drunkards; and providing a penalty therefor."

Senator Perkins offered the following amendment:

"Amend Section 2, line 25, after the word 'habit,' by inserting the words 'to get drunk.'"

Senator Sebastian offered the following substitute to the amendment:

"Strike out the word 'it,' in line 25, page 1, and insert in lieu thereof the following word: 'Drunkenness.'"

The substitute to the amendment was lost.

The amendment was then adopted.

Bill was read second time, and passed to a third reading.

On motion of Senator Morris, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Brachfield.	Lipscomb.
Cain.	Martin.
Decker.	McKamy.
Faubion.	Mills.
Faulk.	Morris.
Faust.	Patteson.
Grinnan.	Paulus.
Hanger.	Perkins.
Harbison.	Savage.
Harper.	Sebastian.
Henderson.	Stafford.
Hicks.	Willacy.
Hill.	Wilson.

Nays—3.

Davidson of	Davidson of
DeWitt.	Galveston.
	Hale.

Absent.

Beaty.	Douglass.
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(President Pro Tem. Davidson of DeWitt in the chair.)

The bill was read third time, and passed by the following vote:

Yeas—22.

Brachfield.	Martin.
Cain.	McKamy.
Faubion.	Mills.
Faulk.	Morris.
Grinnan.	Patteson.
Harbison.	Paulus.
Harper.	Perkins.
Henderson.	Savage.
Hicks.	Sebastian.
Hill.	Willacy.
Lipscomb.	Wilson.

Nays—7.

Davidson of	Faust.
DeWitt.	Hale.
Davidson of	Hanger.
Galveston.	Stafford.
Decker.	

Absent.

Beaty.	Douglass.
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Senator Morris moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

Senator Hanger moved as a substitute that the vote by which the bill passed be reconsidered, and spread that motion on the Journal.

Senator Morris withdrew his motion to reconsider and table.

The motion to spread on the Journal then prevailed.

SENATE BILL NO. 32 SIGNED.

The Chair (President Pro Tem. Davidson of DeWitt) gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read:

Senate bill No. 32, "An Act to repeal Article No. 4905, Title CI, Chapter 1, of the Revised Civil Statutes of the State of Texas."

BILLS READ AND REFERRED.

The Chair had read and referred, after their captions had been read, the following House bills:

House bill No. 444, A bill to be entitled "An Act to amend Section 3 of an act entitled 'An Act to reorganize the Thirty-second Judicial District of the State of Texas, and to designate the counties which compose the same; to prescribe the time for holding the district courts therein; to validate all processes and writs and bonds issued or executed prior to the taking effect of this act, and returnable to the terms of the said court as heretofore fixed by law, and to make same returnable to the terms of the said court as fixed in this act, and to repeal all laws and parts of laws in conflict herewith.'"

SENATE BILL NO. 57.

On motion of Senator Faulk, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 57.

The Chair laid before the Senate, on its second reading,

Senate bill No. 57, A bill to be entitled "An Act to further provide for the creation of school districts, the appointment of trustees therein, and the apportionment of funds thereto, and declaring an emergency."

Senator Mills offered the following amendment:

"Amend page 1, line 16, by adding after the word 'Mason' 'and the Methodist Orphan Home at Waco.'"

Senator Faulk offered the following substitute for the amendment:

"Amend by adding the words 'any and all' between the words 'at' and 'orphan,' in line 14, page 1."

The substitute was adopted.

The amendment was withdrawn.

Bill was read second time, and ordered engrossed.

On motion of Senator Faulk, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Brachfield.	Henderson.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Davidson of	McKamy.
Gelveston.	Mills.
Decker.	Patteson.
Faubion.	Paulus.
Faulk.	Perkins.
Faust.	Savage.
Grinnan.	Sebastian.
Hale.	Stafford.
Hanger.	Willacy.
Harbison.	Wilson.
Harper.	

Absent.

Beaty.	Hicks.
Douglass.	Morris.

The bill was read third time, and passed by the following vote:

Yeas—28.

Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Gelveston.	McKamy.
Decker.	Mills.
Faubion.	Patteson.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harbison.	Willacy.
Harper.	Wilson.

Absent.

Beaty.	Morris.
Douglass.	

Senator Faulk moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SIMPLE RESOLUTION.

Senator Hanger offered the following resolution:

Resolved by the Senate, That beginning at the afternoon session of this day the Senate begin the consideration of local bills and devote the afternoon of this day, or so much thereof as may be necessary, and that in order to ascertain what local or special bills are now on the calendar that the roll of the Senate be now called and each Senator file with the Secretary a list of the local bills desired to be called up by him, and that said bills be considered by the Senate in the order in which they come on the calendar.

The resolution was read second time, and adopted.

PENDING BUSINESS.

On motion of Senator Henderson, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 208.

HOUSE BILL NO. 157.

On motion of Senator Lipscomb, pending business (Senate bill No. 208) was suspended, and the Senate took up, out of its order, House bill No. 157.

The Chair laid before the Senate, on its second reading,

House bill No. 157, A bill to be entitled "An Act providing for the appointment of official stenographers for district courts by the judges thereof in all districts composed of only one county, or a portion of one county; prescribing their duties, and providing for their compensation; and providing that this act may become applicable to all other district courts in the State."

With the following committee amendments:

(1) "Amend Section 1 by adding after the word 'county,' in line 19, 'and of all other district courts sitting in the same counties therewith.'"

(2) "Amend Section 4 by striking out the words 'engaged in taking testimony in any case before,' in lines 27 and 28, and inserting in lieu thereof the following: 'In attendance upon.'"

(3) "Amend Section 4, line 3, page 3, by striking out the word 'ten' and inserting in lieu thereof the word 'fifteen.'" (Senator Savage in the chair.)

The committee amendments were adopted.

Senator Stafford offered the following amendment:

"Amend Section 9 by striking out all after the word 'charged,' in line 3, page 4, down to and including the word 'court.'"

The amendment was adopted.

Senator Faulk offered the following amendment:

"Amend by adding after the word 'sits,' in line 7, page 3, the following: 'Provided, that such fees shall not be taxed in cases when no stenographer is demanded or needed.'"

Senator Davidson of DeWitt offered the following substitute for the foregoing amendment:

"Substitute for the amendment: 'Provided, that fees shall not be charged in cases where a judgment is by default or by agreement, and in cases of pleas of guilty in criminal cases.'"

The substitute was adopted.

Senator Lipscomb offered the following amendment:

"Amend the caption by inserting after the word 'county' and before the word 'prescribing,' the words 'and of all other district courts sitting in the same counties therewith.'"

The amendment was adopted.

Senator Henderson offered the following amendment:

"Amend the bill, page 3, line 3, by inserting after the word 'each' the word 'civil.'"

The amendment was adopted.

Senator Davidson of DeWitt moved that the vote by which the amendment by Senator Henderson was adopted be reconsidered, and spread that motion on the Journal.

The motion prevailed.

Senator Faulk moved that further consideration of the bill be postponed until tomorrow morning at 10 o'clock, at the conclusion of the morning call.

The motion prevailed.

RECESS.

On motion of Senator Perkins, the Senate, at 12:58 o'clock p. m., took a recess until 3 o'clock p. m. today.

AFTER RECESS.

The Senate was called to order by President Pro Tem. Davidson of DeWitt.

In accordance with the resolution adopted this morning, the Senate considered local bills only.

SENATE BILL NO. 83.

The Chair laid before the Senate, on its second reading,

Senate bill No. 83, A bill to be entitled "An Act to amend Chapter 6, Article 5043, of the Revised Civil Statutes of the State of Texas, of 1895, relating to the regulations for the protection of stock raisers in certain localities."

(See Journal of March 17th for amendments that have been adopted.)

Senator Decker offered the following amendment:

"Amend the bill by adding after the word 'Dallam' wherever it occurs the word 'Lipscomb.'"

The amendment was read and adopted.

Bill was read second time, and ordered engrossed.

On motion of Senator Grinnan, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Brachfield.
Cain.

Davidson of
DeWitt.

Decker.	Lipscomb.
Faubion.	Martin.
Faulk.	McKamy.
Faust.	Mills.
Grinnan.	Morris.
Hale.	Paulus.
Hanger.	Savage.
Harper.	Sebastian.
Henderson.	Stafford.
Hicks.	Willacy.
Hill.	Wilson.

Absent.

Beaty.	Harbison.
Davidson of	Patteson.
Galveston.	Perkins.
Douglass.	

The bill was read third time, and passed by the following vote:

Yeas—24.

Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Decker.	McKamy.
Faubion.	Mills.
Faulk.	Morris.
Faust.	Paulus.
Grinnan.	Savage.
Hale.	Stafford.
Hanger.	Willacy.
Harper.	Wilson.
Henderson.	

Absent.

Beaty.	Harbison.
Davidson of	Patteson.
Galveston.	Perkins.
Douglass.	Sebastian.

Senator Grinnan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 216.

The Chair laid before the Senate, on its second reading,

Senate bill No. 216, A bill to be entitled "An Act to incorporate the trustees of the independent school district of the city of San Antonio, Texas, under the name of San Antonio School Board, with power to make contracts, to be a party to actions in courts; to receive gifts, grants, conveyance donations or devises for use of public free schools of said city and district, and power to levy taxes, to issue and dispose of bonds and provide for payment of same, and to select textbooks and to do all acts authorized by this law."

Bill was read second time, and ordered engrossed.

On motion of Senator Hicks, the constitutional rule requiring bills to be read

on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Brachfield.	Hill.
Cain.	Lipscomb.
Davidson of	Martin.
DeWitt.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Paulus.
Faust.	Savage.
Grinnan.	Sebastian.
Hanger.	Stafford.
Harper.	Willacy.
Henderson.	Wilson.
Hicks.	

Absent.

Beaty.	Hale.
Davidson of	Harbison.
Galveston.	Patteson.
Douglass.	Perkins.

The bill was read third time, and passed by the following vote:

Yeas—24.

Brachfield.	Hill.
Cain.	Lipscomb.
Davidson of	Martin.
DeWitt.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Paulus.
Faust.	Savage.
Grinnan.	Sebastian.
Hanger.	Stafford.
Harper.	Willacy.
Henderson.	Wilson.
Hicks.	

Absent.

Beaty.	Hale.
Davidson of	Harbison.
Galveston.	Patteson.
Douglass.	Perkins.

Senator Hicks moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 63.

Senator Hanger called up House bill No. 63, and moved to withdraw the motion to reconsider and have that motion spread on the Journal, and moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 103.

The Chair laid before the Senate, on its second reading,

House bill No. 103, A bill to be entitled

"An Act to add to the Agricultural and Mechanical College of Texas a department of instruction in the theory and practical art of textile and kindred branches of industry, and to make an appropriation therefor."

The bill was read second time, and passed to a third reading.

Senator Wilson made a point of order that the bill was not a local bill, only local bills being considered.

The Chair sustained the point of order.

HOUSE BILL NO. 233.

The Chair laid before the Senate on its second reading,

House bill No. 233, A bill to be entitled "An Act to create a more efficient road system for Shelby county, Texas, and making the county commissioners of said county ex-officio road commissioners and prescribing their duties as such, and providing for their compensation as road commissioners, and providing for the appointment of road overseers and defining their duties, and for working of county convicts upon the roads of said county, and providing for officers' fees and rewards for the capture of escaped convicts and authorizing the working of county convicts partly upon the poor farm as well as upon the public roads, or partly upon both upon the discretion of the commissioners court, and making provisions applicable as far as practicable to convicts when worked on county farm, and to provide for the summoning of teams for road work, and for allowance of time for same, and fixing a penalty for the violation of this act, and repeal all laws in conflict with this act as to Shelby county, and to authorize the commissioners court of Shelby county to create the office of superintendent of public roads and bridges for Shelby county, and defining his duties, and providing for compensation of said superintendent, and prescribing bond to be given by said officer; providing that delinquent poll tax payers shall be subject to three days road duty; providing for the condemnation of any land needed for the widening of roads; providing for the taking of timbers, gravel, earth, stone or other necessary material, and giving persons summoned to work on roads the right to be relieved as from the discharge of such duty on payment of specific sums of money herein stipulated, and to authorize and empower the said county of Shelby to issue bonds for the construction and maintenance of public roads and highways within the said county, and to provide for a tax to create a sinking fund to pay for same."

Senator Brachfield offered the following amendment:

"Amend by adding after the word 'same' in line 15, page 2, by adding 'and declaring an emergency.'"

The amendment was adopted.

Senator Brachfield offered the following amendment:

"Amend by adding after Section 20, on page 11, Section 21 to read as follows:

"Section 21. Any commissioner who shall wilfully fail or neglect to do and perform the acts herein required of him, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than two hundred dollars."

"Amend further by striking out of line 1, page 12, 'Section 21' and insert in lieu thereof 'Section 22.'"

The amendment was adopted.

Bill was read second time and passed to a third reading.

On motion of Senator Brachfield, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Decker.	McKamy.
Faubion.	Mills.
Faulk.	Morris.
Faust.	Patteson.
Grinnan.	Paulus.
Hale.	Savage.
Hanger.	Sebastian.
Harper.	Stafford.
Henderson.	Wilson.

Absent.

Beaty.	Harbison.
Davidson of	Perkins.
Galveston.	Willacy.
Douglass.	

The bill was read a third time, and passed by the following vote:

Yeas—25.

Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Decker.	McKamy.
Faubion.	Mills.
Faulk.	Morris.
Faust.	Paulus.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harper.	Willacy.
Henderson.	Wilson.

Absent.

Beaty.	Harbison.
Davidson of	Patteson.
Galveston.	Perkins.
Douglass.	

Senator Brachfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion prevailed.

HOUSE BILL NO. 244.

The Chair laid before the Senate on second reading,

House bill No. 244, A bill to be entitled "An Act to render more effective and efficient the present road laws of the State of Texas in their application and operation in the county of Jack, and to authorize and empower the said county of Jack to issue bonds for the construction and maintenance of public roads and highways in the said county."

Bill was read second time, and passed to a third reading.

On motion of Senator Decker, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Brachfield.	Hill.
Cain.	Lipscomb.
Davidson of	Martin.
DeWitt.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Willacy.
Harper.	Wilson.
Henderson.	Stafford.
Hicks.	

Absent.

Beaty.	Douglass.
Davidson of	Harbison.
Galveston.	Patteson.

The bill was read third time, and passed by the following vote:

Yeas—26.

Brachfield.	Harbison.
Cain.	Harper.
Davidson of	Hicks.
DeWitt.	Hill.
Decker.	Lipscomb.
Faubion.	Martin.
Faulk.	McKamy.
Faust.	Mills.
Grinnan.	Morris.
Hale.	Patteson.
Hanger.	Paulus.

Perkins.
Savage.
Sebastian.

Stafford.
Wilson.

Absent.

Beaty.
Davidson of
Galveston.

Douglass.
Henderson.
Willacy.

Senator Decker moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 248.

The Chair laid before the Senate on its second reading.

Senate bill No. 248, A bill to be entitled "An Act to authorize the Board of Managers of the North Texas Hospital for the Insane at Terrell, Texas, to sell that part of the lands belonging to the State for the use of said institution which lies west of the Texas Midland Railroad, and to purchase, at the same price per acre, other lands lying east of said railroad."

Bill was read second time and ordered engrossed.

On motion of Senator Faulk, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Martin.
DeWitt.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Wilson.
Henderson.	

Absent.

Beaty.	Douglass.
Davidson of	Lipscomb.
Galveston.	Willacy.

The bill was read third time, and passed by the following vote:

Yeas—26.

Brachfield.	Hale.
Cain.	Hanger.
Davidson of	Harbison.
DeWitt.	Harper.
Decker.	Henderson.
Faubion.	Hicks.
Faulk.	Hill.
Faust.	Martin.
Grinnan.	McKamy.

Mills.
Morris.
Patteson.
Paulus.
Perkins.

Savage.
Sebastian.
Stafford.
Wilson.

Absent.

Beaty.	Douglass.
Davidson of	Lipscomb.
Galveston.	Willacy.

Senator Faulk moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 251.

The Chair laid before the Senate, on second reading,

House bill No. 251, A bill to be entitled "An Act to create a more efficient road system for Harrison county, Texas, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such," etc.

Senator Brachfield offered the following amendment:

"Amend by adding after the word 'same,' in line 15, page 2, the words 'and declaring an emergency.'"

The amendment was adopted.

Bill was read second time, and passed to a third reading.

On motion of Senator Brachfield, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Martin.
DeWitt.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Wilson.
Henderson.	

Absent.

Beaty.	Douglass.
Davidson of	Lipscomb.
Galveston.	Willacy.

Bill was read third time, and passed by the following vote:

Yeas—26.

Brachfield.	Decker.
Cain.	Faubion.
Davidson of	Faust.
DeWitt.	Grinnan.

Hale.	Mills.
Hanger.	Morris.
Harbison.	Patteson.
Harper.	Paulus.
Henderson.	Perkins.
Hicks.	Savage.
Hill.	Sebastian.
Lipscomb.	Stafford.
Martin.	Wilson.
McKamy.	

Absent.

Beaty.	Douglass.
Davidson of	Faulk.
Galveston.	Willacy.

Senator Brachfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 262.

Senator Henderson moved that the Senate rule requiring committee reports to lie over for one day be suspended.

The motion prevailed.

The Chair laid before the Senate, on second reading,

House bill No. 262, A bill to be entitled "An Act to organize the Sixth Judicial District, and fix the times for holding the terms of court therein, and to repeal all laws in conflict with this act," with the following committee amendments:

"Amend by striking out the word 'eight' in line 16, page 1, and insert 'nine.' Strike out the word 'eighth' in line 17, page 1, and insert 'ninth.' Strike out the word 'eleven' in line 20, page 1, and insert 'seven.' Strike out the word 'nineteenth' in line 22, page 1, and insert 'sixteenth.' Strike out 'five' in line 24, page 1, and insert 'six.'"

The committee amendments were adopted.

Bill was read second time, and passed to a third reading.

On motion of Senator Henderson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Brachfield.	Hill.
Cain.	Martin.
Davidson of	McKamy.
DeWitt.	Mills.
Decker.	Morris.
Faubion.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Wilson.
Henderson.	

Absent.

Beaty.	Faulk.
Davidson of	Hicks.
Galveston.	Lipscomb.
Douglass.	Willacy.

Bill was read third time, and passed by the following vote:

Yeas—25.

Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Martin.
DeWitt.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faust.	Patteson.
Grinnan.	Paulus.
Hale.	Perkins.
Hanger.	Savage.
Harbison.	Sebastian.
Harper.	Stafford.
Henderson.	Wilson.

Absent.

Beaty.	Faulk.
Davidson of	Lipscomb.
Galveston.	Willacy.
Douglass.	

Senator Henderson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 297.

The Chair laid before the Senate, on second reading,

Senate bill No. 297, A bill to be entitled "An Act to change and prescribe the time for holding district courts in the Thirty-first Judicial District of this State; to conform all writs and processes from such courts to such changes, and to repeal all laws in conflict herewith."

Bill was read second time, and ordered engrossed.

On motion of Senator Decker, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Cain.	Henderson.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Wilson.

Absent.

Beaty.	Hicks.
Brachfield.	Willacy.
Douglass.	

Bill was read third time, and passed by the following vote:

Yeas—26.

Cain.	Henderson.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harbison.	Wilson.
Harper.	

Absent.

Beaty.	Hicks.
Brachfield.	Patteson.
Douglass.	Willacy.

Senator Decker moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 315.

The Chair laid before the Senate, on second reading,

House bill No. 315, A bill to be entitled "An Act to amend Section 7, Chapter 80, of an act passed by the Twenty-sixth Legislature, at its Regular Session of 1899, entitled 'An Act to create a more efficient road system for Wharton county and Lavaca county, in the State of Texas, and making county commissioners of said counties ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, defining their powers and duties as such, and providing for the appointment of road overseers and defining their duties, and for the working of county convicts on the public roads of such counties, and providing for the payment of officers' fees and rewards and penalties for said convicts, and to provide for the summoning of teams for road work, and for an allowance for time of road service for the same; and fixing penalties for the violation of this act,' so as to exempt Lavaca county from the provisions of said section."

Bill was read second time, and passed to a third reading.

SENATE BILL NO. 316.

The Chair laid before the Senate, on second reading,

Senate bill No. 316, A bill to be entitled "An Act to amend Section 2 of the charter of the city of Dallas, relative to the boundary lines of said city, and adding thereto Section 2a, by changing said boundary and limits of the said city of Dallas, thereby including the corporation and city of Oak Cliff and annexing the territory thereof to the city of Dallas, and abolishing the corporation of the city of Oak Cliff."

On motion of Senator McKamy, committee report was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator McKamy, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Brachfield.	Harper.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Perkins.
Faust.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harbison.	Wilson.

Absent.

Beaty.	Patteson.
Douglass.	Paulus.
Grinnan.	Willacy.
Henderson.	

Bill was read third time, and passed by the following vote:

Yeas—23.

Brachfield.	Harper.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Savage.
Grinnan.	Sebastian.
Hale.	Stafford.
Hanger.	Wilson.
Harbison.	

Absent.

Beaty.	Faust.
Douglass.	Henderson.

Patteson.
Paulus.

Perkins.
Willacy.

Senator McKamy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.
(Senator Hanger in the chair.)

SENATE BILL NO. 317.

Senator McKamy moved that the Senate rule requiring committee reports to lie over for one day be suspended.

The motion prevailed.

Senator McKamy moved that the committee report be adopted.

The motion prevailed.

On motion of Senator McKamy, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its second reading by the following vote:

Yeas—26.

Brachfield.	Harper.
Cain.	Henderson.
Davidson of	Hicks.
DeWitt.	Hill.
Davidson of	Lipscomb.
Galveston.	Martin.
Decker.	McKamy.
Faubion.	Mills.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harbison.	Wilson.

Absent.

Beaty.	Patteson.
Douglass.	Willacy.
Morris.	

The Chair laid before the Senate, on its second reading,

Senate bill No. 317, A bill to be entitled "An Act to amend Sections 8, 12, 120, 141, 145 and 170 of the charter of the city of Dallas, as the same exists by virtue of an act entitled 'An Act to incorporate the city of Dallas, and to grant it a new charter,' approved May 9, 1899, and an act amendatory thereto entitled 'An Act to amend Sections 12, 56, 77, 119 and 120 of an act entitled "An Act to incorporate the city of Dallas, and to grant it a new charter," approved May 9, 1899,' said sections relating to voting precincts, eligibility to office, collection of taxes, the appropriation of revenue and the issuance of bonds by the said city, to the board of appeals of the said city and its duties, and to the responsibility of the city for damages."

Bill was read second time, and ordered engrossed.

On motion of Senator McKamy, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Brachfield.	Harper.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harbison.	Wilson.

Absent.

Beaty.	Morris.
Douglass.	Patteson.
Faubion.	Willacy.
Henderson.	

The bill was read third time, and passed by the following vote:

Yeas—26.

Brachfield.	Harper.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harbison.	Wilson.

Absent.

Beaty.	Patteson.
Douglass.	Willacy.
Henderson.	

Senator McKamy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SIMPLE RESOLUTION.

Senators Paulus and Stafford offered the following resolution:

Whereas, R. P. Hobson, a gallant son of the South, a heroic captain of the United States Navy, a learned thinker and patriot is in the city; therefore be it

Resolved, That he be extended the courtesies of the floor of the Senate.

The resolution was read second time, and adopted.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to House bill No. 381.

Respectfully,
BOB BARKER,
Chief Clerk.

HOUSE BILL NO. 355.

The Chair laid before the Senate on its second reading,

House bill No. 355, A bill to be entitled "An Act to increase the civil jurisdiction of the county court of Bee county, and to declare an emergency."

Bill was read second time, and passed to a third reading.

On motion of Senator Davidson of DeWitt, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Decker.	Martin.
Faubion.	McKamy.
Faulk.	Mills.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Wilson.

Absent.

Beaty.	Morris.
Davidson of	Patteson.
Galveston.	Willacy.
Douglass.	

The bill was read third time, and passed by the following vote:

Yeas—26.

Brachfield.	Harbison
Cain.	Harper.
Davidson of	Henderson.
DeWitt.	Hicks.
Decker.	Hill.
Faubion.	Lipscomb.
Faulk.	Martin.
Faust.	McKamy.
Grinnan.	Mills.
Hale.	Morris.
Hanger.	Paulus.

Perkins.
Savage.
Sebastian.

Stafford.
Wilson.

Absent.

Beaty.	Douglass.
Davidson of	Patteson.
Galveston.	Willacy.

Senator Davidson of DeWitt moved to reconsider the vote by which the bill was passed, and lay that motion on the table. The motion to table prevailed.

HOUSE BILL NO. 382.

The Chair laid before the Senate, on its second reading,

House bill No. 382, A bill to be entitled "An Act to create a more efficient road system for Palo Pinto county, in this State, making the county commissioners of this county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners; and providing for the condemning of material for the construction and maintenance of public roads, and to provide for the compensation for the material used, and providing for the working of county convicts on the public road, and the purchase of supplies for such convicts, and rewards for the capture of escaped convicts, and for commutation of sentence for faithful service and good behavior; and defining the powers and duties of road overseers; and to provide for the summoning of hands and teams for road work, and the allowance for time for service of hands and teams on public roads, and fixing a penalty for the violation of same; and relieving them from the payment of such work by the payment of three dollars; and providing further, for ordering an election to be held in said county by the qualified property tax-paying voters to determine whether or not an additional annual ad valorem tax for road and bridge purposes shall be levied and collected in said county; making this act cumulative of the general laws now in force; and to repeal all laws in conflict with this act, and declaring an emergency."

Bill was read second time, and passed to a third reading.

On motion of Senator Sebastian, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Brachfield.	Decker.
Cain.	Faubion.
Davidson of	Faulk.
DeWitt.	Grinnan.

Hale.	McKamy.
Hanger.	Mills.
Harbison.	Morris.
Harper.	Paulus.
Henderson.	Perkins.
Hicks.	Savage.
Hill.	Sebastian.
Lipscomb.	Stafford.
Martin.	Wilson.

Absent.

Beaty.	Faust.
Davidson of	Patteson.
Galveston.	Willacy.

Douglass.

The bill was read third time, and passed by the following vote:

Yeas—24.

Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Wilson.
Henderson.	

Absent.

Beaty.	Faust.
Davidson of	McKamy.
Galveston.	Patteson.

Douglass.

Senator Sebastian moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 406.

The Chair laid before the Senate, on its second reading,

House bill No. 406, A bill to be entitled "An Act to create the Sixty-third Judicial District of the State of Texas, to be composed of the counties of Jeff Davis, Presidio, Brewster, Pecos, Val Verde, Kinney and Maverick, and to prescribe the time of holding terms of the district court in said district, and to transfer the district attorney of the Forty-second Judicial District to said new district, and to provide for the appointment of a time of holding court therein; to provide for a district attorney for said Forty-first and Thirty-fourth Judicial Districts; to provide for a clerk of the district court of the Forty-first Judicial District, and to empower the district court of the Thirty-fourth Judicial District to empanel a grand jury for El Paso county, and giving authority to the judges of

either of said two courts in El Paso county to transfer cases from their respective courts to the other said courts; to validate all writs and other process heretofore issued out of the district court of said Forty-first and Thirty-fourth Judicial Districts, and to repeal all laws and parts of laws in conflict herewith."

Senator Hill moved that the committee report be adopted.

The motion prevailed.

Senator Hill offered the following amendment:

"Amend by adding Section 12 as follows:

"Section 12. The crowded condition of the dockets of El Paso county district courts and the demand for some relief for said courts creates an imperative public necessity and emergency justifying the suspension of the constitutional rule requiring bills to be read on three several days be suspended, and said rule is hereby suspended, and this act shall take effect from its passage.'"

The amendment was adopted.

Bill was read second time, and ordered engrossed.

On motion of Senator Hill, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Paulus.
Faulk.	Perkins.
Faust.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harbison.	Wilson.
Henderson.	

Nays—4.

Brachfield.	Harper.
Grinnan.	Morris.

Absent.

Beaty.	Patteson.
Douglass.	Willacy.

The bill was read third time, and passed.

Senator Hill moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 26 SIGNED.

The Chair (President Pro Tem. Davidson of DeWitt) gave notice of signing,

and did sign, in the presence of the Senate, after its caption had been read:

Senate bill No. 26, "An Act to amend Chapter 17, Title XXI, Revised Statutes of Texas, by adding thereto Article 748a, and providing for the cancellation of permits to do business in Texas granted to non-resident corporations, and preventing issuance of permits to offending corporations."

HOUSE BILL NO. 413.

The Chair laid before the Senate, on its second reading,

House bill No. 413, A bill to be entitled "An Act to create a more efficient road system for Fort Bend county, Texas, and making county commissioners of the said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners; and providing for the working of county convicts upon public roads of said county, and providing for a penalty for the escape of convicts; and providing the amount of compensation in road time to be allowed by overseers to road hands for teams and road work; and providing for the condemnation of land for public road purposes; and providing for the working of delinquent poll tax payers on the public roads; and relieving road hands from the performance of road work by the payment of the sum of (\$3) three dollars; and providing for the levying and collection of a special road tax of fifteen cents on the one hundred dollars valuation on properties in Fort Bend county; and providing further, making this law cumulative of the general laws, and in case of conflict this act to govern as to Fort Bend county, Texas, and creating an emergency."

Bill was read second time, and passed to a third reading.

On motion of Senator Lipscomb, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Wilson.

Absent.

Beaty.
Douglass.

Willacy.

The Bill was read third time, and passed by the following vote:

Yeas—25.

Brachfield.	Harper.
Cain.	Henderson.
Davidson of	Hicks.
DeWitt.	Lipscomb.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Morris.
Faubion.	Paulus.
Faulk.	Perkins.
Faust.	Savage.
Grinnan.	Sebastian.
Hale.	Stafford.
Hanger.	Wilson.
Harbison.	

Absent.

Beaty.
Douglass.
Hill.

Martin.
Patteson.
Willacy.

Senator Lipscomb moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 434.

The Chair laid before the Senate, on its second reading,

House bill No. 434, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Kimble county, and to conform the jurisdiction of the district court thereto; and to repeal all laws in conflict therewith."

Bill was read second time, and passed to a third reading.

On motion of Senator Hill the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harper.	Stafford.
Henderson.	Wilson.

Absent.

Beaty.
Davidson of
Galveston.
Douglass.

Harbison.
Martin.
Willacy.

The bill was read third time, and was passed by the following vote:

Yeas—26.

Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harper.	Wilson.

Absent.

Beaty.	Patteson.
Douglass.	Willacy.
Harbison.	

Senator Hill moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 439.

The Chair laid before the Senate on its second reading,

House bill No. 439, A bill to be entitled "An Act to authorize the commissioners court of Dallas county, Texas, to subdivide and redistrict Dallas county into convenient school districts, and to designate same by numbers, and to correct all errors in school district lines, and to complete said lines when they are defective in those school districts now having a special school tax, and providing that said tax shall not be affected thereby, and to provide for changes in school district lines, and the transfer of patrons from one school district to any adjoining district, and for the formation of new districts, and the consolidation of districts."

Bill was read second time, and passed on a third reading.

On motion of Senator McKamy, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Brachfield.	Hale.
Cain.	Hanger.
Davidson of	Harbison.
DeWitt.	Harper.
Decker.	Henderson.
Faubion.	Hicks.
Faulk.	Hill.
Faust.	Lipscomb.
Grinnan.	Martin.

McKamy.	Perkins.
Mills.	Savage.
Morris.	Sebastian.
Patteson.	Stafford.
Paulus.	Wilson.

Absent.

Beaty.	Douglass.
Davidson of	Willacy.
Galveston.	

The bill was read third time, and passed by the following vote:

Yeas—25.

Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Martin.
DeWitt.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hanger.	Savage.
Harbison.	Sebastian.
Harper.	Stafford.
Henderson.	Wilson.

Absent.

Beaty.	Hale.
Davidson of	Lipscomb.
Galveston.	Willacy.
Douglass.	

Senator McKamy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 423.

The Chair laid before the Senate on its second reading.

House bill No. 423, A bill to be entitled "An Act to create a more efficient road system for San Augustine county, Texas."

Bill was read second time, and passed to a third reading.

On motion of Senator Perkins, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Brachfield.	Harbison.
Cain.	Harper.
Davidson of	Henderson.
DeWitt.	Hicks.
Decker.	Hill.
Faubion.	Lipscomb.
Faulk.	Martin.
Faust.	McKamy.
Grinnan.	Mills.
Hale.	Morris.
Hanger.	Patteson.

Paulus.	Sebastian.
Perkins.	Stafford.
Savage.	Wilson.

Absent.

Beaty.	Douglass.
Davidson of	Willacy.
Galveston.	

The bill was read third time, and passed by the following vote:

Yeas—27.

Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Decker.	McKamy.
Faubion.	Mills.
Faulk.	Morris.
Faust.	Patteson.
Grinnan.	Paulus.
Hale.	Perkins.
Hanger.	Savage.
Harbison.	Sebastian.
Harper.	Stafford.
Henderson.	Wilson.

Absent.

Beaty.	Douglass.
Davidson of	Willacy.
Galveston.	

Senator Perkins moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 444.

Senator Sebastian moved that the Senate rule requiring committee reports to lie over for one day be suspended.

The motion prevailed.

Senator Sebastian moved to adopt the committee report.

The motion prevailed.

On motion of Senator Sebastian, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Morris.
Faubion.	Paulus.
Faulk.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harbison.	Wilson.
Henderson.	

Absent.

Beaty.	Harper.
Douglass.	Patteson.
Faust.	Willacy.

The Chair laid before the Senate, on its second reading,

House bill No. 444, A bill to be entitled "An Act to amend Section 3 of an act entitled 'An Act to reorganize the Thirty-second Judicial District of the State of Texas, and to designate the counties which compose the same; to prescribe the time for holding the district courts therein; to validate all processes and writs and bonds issued or executed prior to the taking effect of this act, and returnable to the terms of the said court as heretofore fixed by law, and to make same returnable to the terms of the said court as fixed in this act, and to repeal all laws and part of laws in conflict herewith.'"

Bill was read second time, and passed to a third reading.

On motion of Senator Sebastian, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Brachfield.	Harper.
Cain.	Henderson.
Davidson of	Hicks.
DeWitt.	Hill.
Davidson of	Lipscomb.
Galveston.	Martin.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harbison.	Wilson.

Absent.

Beaty.	Patteson.
Douglass.	Willacy.
McKamy.	

The bill was read third time, and passed by the following vote:

Yeas—26.

Brachfield.	Hanger.
Cain.	Harbison.
Davidson of	Harper.
DeWitt.	Henderson.
Davidson of	Hicks.
Galveston.	Hill.
Decker.	Lipscomb.
Faubion.	Martin.
Faulk.	Mills.
Faust.	Morris.
Grinnan.	Paulus.
Hale.	Perkins.

Savage.
Sebastian.

Stafford.
Wilson.

Absent.

Beaty.
Douglass.
McKamy.

Patteson.
Willacy.

Senator Sebastian moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

The motion to table prevailed.

THIRD HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has refused to concur in Senate amendments to House bill No. 88.

Respectfully,
BOB BARKER,

Chief Clerk, House of Representatives.

Senator Morris moved that the Senate recede from Senate amendments on House bill No. 88.

The motion prevailed.

Senator Hicks moved to reconsider the vote by which the motion was adopted and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 470.

The Chair laid before the Senate on second reading.

House bill No. 470, A bill to be entitled "An Act to create a more efficient road system for Burnet county,"

Bill read second time, and passed to a third reading.

On motion of Senator Faubion the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harbison.	Wilson.
Harper.	

43—S

Absent.

Beaty.
Douglass.

Patteson.
Willacy.

The bill was read third time, and passed by the following vote:

Yeas—26.

Brachfield.	Harper.
Cain.	Henderson.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harbison.	Wilson.

Absent.

Beaty.
Douglass.
Hicks.

Patteson.
Willacy.

Senator Faubion moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE CONCURRENT RESOLUTION NO. 17.

The Chair laid before the Senate House Concurrent Resolution No. 17, Authorizing the Superintendent of Public Buildings and Grounds to expend \$2,500 in repairing and keeping in proper condition the State cemetery.

The resolution was read, and adopted.

SENATE BILL NO. 302.

On motion of Senator Davidson of Galveston, the pending order of business (Senate bill No. 208) was suspended, and the Senate took up, out of its order, Senate bill No. 302.

The Chair laid before the Senate, on second reading,

Senate bill No. 302, A bill to be entitled "An Act further regulating the amendment of charters of corporations incorporated for the purpose of constructing, owning, operating and maintaining railroads, and to provide for the location, construction, operation and maintenance of additional lines or tracks of railroad necessary to shorten the route or reduce the grades of the tracks of the lines of such companies under and by virtue of such amendments, and regulating the issuance of stocks and bonds to pay for the construction of such lines or tracks of railroad, and to prohibit the attach-

ment of liens theretofore existing upon the property of such additional lines or tracks and to provide the manner and means of accomplishing such purposes."

On motion of Senator Harper, consideration of the bill was postponed until tomorrow morning.

PENDING BUSINESS—SENATE BILL NO. 208.

The Chair laid before the Senate pending business,

Senate bill No. 208, A bill to be entitled "An Act to define the status of joint stock associations and joint stock companies, and to provide that such associations and companies having any of the powers or privileges of corporations not possessed by individuals or partnerships shall be subject to all the laws of this State with regard to corporations."

The bill was read, and ordered engrossed.

HOUSE BILL NO. 243.

On motion of Senator Wilson, the pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 243.

The Chair laid before the Senate, on third reading,

House bill No. 243, A bill to be entitled "An Act to appropriate \$50,000 to be paid to any one who will discover and furnish a practical remedy that will exterminate the cotton bill weevil, and \$2,500 for expenses and per diem of committee to pass on the findings of said person or persons."

Senator Mills offered the following amendment:

"Amend page 4, line 26, by adding after the word 'stations,' 'or by the A. and M. College.'"

The amendment was adopted by the following vote:

Yeas—25.

Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Paulus.
Faulk.	Perkins.
Faust.	Savage.
Grinnan.	Sebastian.
Hale.	Stafford.
Hanger.	Wilson.
Harbison.	

Absent.

Beaty.	Morris.
Douglass.	Patteson.
Harper.	Willacy.

The bill was read third time, and passed.

Senator Wilson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 236.

On motion of Senator Decker, the pending order of business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 236.

The Chair laid before the Senate, on second reading,

Senate bill No. 236, A bill to be entitled "An Act to authorize the Southern Kansas Railway Company of Texas to purchase the railroads and all other property of the Pecos & Northern Texas Railway Company, and of the Pecos River Railway Company, now owned and hereafter acquired, and to operate the same under the charter of the Southern Kansas Railway Company, as a part of its own line, with the right to extend the said roads, or either of them, and to construct branches therefrom, by amendment of its charter under the General Laws of the State of Texas; and to authorize the corporation or corporations, person or persons, now or hereafter owning the said properties to sell the same to the Southern Kansas Railway Company of Texas, and until such purchase is made, to authorize the lease by the Southern Kansas Railway Company of Texas of the railroads and other properties of said two other companies."

Bill read second time, and ordered engrossed.

On motion of Senator Decker, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Davidson of	Hicks.
DeWitt.	Hill.
Davidson of	Lipscomb.
Galveston.	Martin.
Decker.	McKamy.
Faubion.	Mills.
Faulk.	Morris.
Faust.	Paulus.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Henderson.	Wilson.

Nays—4.

Brachfield.	Grinnan.
Cain.	Perkins.

Absent.

Beaty.	Patteson.
Douglass.	Willacy.
Harper.	

The bill was read third time, and passed by the following vote:

Yeas—21.

Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Paulus.
Faust.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harbison.	Wilson.
Hicks.	

Nays—4.

Brachfield.	Grinnan.
Cain.	Perkins.

Absent.

Beaty.	Henderson.
Douglass.	Patteson.
Harper.	Willacy.

Senator Decker moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

VOTE RECONSIDERED.

Senator Paulus called up the motion by Senator Savage to reconsider the vote by which Senate bill No. 127 finally passed on yesterday, and moved to table the motion to reconsider.

The motion to table prevailed by the following vote:

Yeas—13.

Decker.	Hill.
Faubion.	Lipscomb.
Faulk.	McKamy.
Faust.	Paulus.
Hale.	Sebastian.
Hanger.	Stafford.
Hicks.	

Nays—12.

Brachfield.	Harbison.
Cain.	Henderson.
Davidson of	Martin.
DeWitt.	Mills.
Davidson of	Patteson.
Galveston.	Perkins.
Grinnan.	Savage.

Absent.

Beaty.	Morris.
Douglass.	Willacy.
Harper.	Wilson.

SPECIAL ORDER FOR MONDAY.

Senator Hicks moved to make Substitute House bill Nos. 45 and 70 special

order for tomorrow morning at conclusion of morning call.

Senator Hale moved, as a substitute, to make the bill a special order for Monday morning at conclusion of morning call.

The substitute motion was adopted.

PRIVILEGED MOTION.

Senator Faulk called up Senate bill No. 6, and moved that the Senate concur in the House amendments.

The motion prevailed.

(President Pro Tem. Davidson of DeWitt in the chair.)

FREE CONFERENCE COMMITTEE REPORT.

Committee Room,

Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate, and Hon. Pat M. Neff, Speaker of the House of Representatives.

SIRS: We, your Free Conference Committee on House bill No. 392, appointed to adjust the differences between the House and the Senate, have had the same under consideration, and beg leave to report that we have reached an agreement, and herewith recommend that said bill be passed with the following amendments:

"Amend Article 1, Section 2, page 1, line 20, by striking out the word 'five,' and inserting 'four' in lieu thereof.

"Amend by striking out all of Section 3, Article 1, on page 2.

"Amend Section 3, Article 2, page 5, line 27, by striking out 'and electric'; also by striking out the words 'railroad or,' in line 9, Section 3, Article 2, page 6.

"Amend Section 3, Article 2, page 6, lines 11, 12, 13 and 14, by striking out the following: 'Until an ordinance requiring a greater amount be passed by the city council of the city of Houston,' and inserting in lieu thereof the following: 'In so far as it relates to street railways until changed by the Legislature of the State of Texas.'

"Amend Section 3, Article 2, page 6, lines 22, 23, 24 and 25, by striking out the following paragraph: 'The city shall have the power to regulate the price of water and lights, both electric and gas, also to regulate fares of public hacks,' and insert in lieu thereof the following paragraph: 'The city council shall have the power to fix and regulate the price of water and gas, and electric lights, and to regulate fares, tolls and charges of local telephone lines and exchanges, and of public carriers and hacks, whether transporting passengers, freight or baggage, and to prescribe and regulate upon what street or streets pub-

lic carriers, hacks or other vehicles may stand.'

"Amend line 15, on page 55, by striking out all after the word 'have,' down to and including the word 'may,' in line 18, and inserting in lieu thereof the following: 'The right of appeal to the city council, which shall have the right to increase or lessen the amount of the appraisal appealed from, and the decision of the city council in all such appeals shall be final.'

"Amend by striking out all of Section 1, of Article 4, page 72, and insert in lieu thereof the following:

"Section 1. Elective officers. There shall be elected by the qualified voters of the city a mayor, two aldermen or councilmen from each ward, a city treasurer and assessor and collector of taxes, a chief of police, a city attorney, a city recorder, a health officer, and a street commissioner, who shall hold their respective offices for two years or until their successors are elected and qualified, unless sooner removed by the mayor and the city council; provided, that the present officers shall hold their offices until the next election for city officers, which shall be held on the first Monday in April, 1904.

"Section 1a. Appointive officers. The mayor shall have power to appoint, subject to confirmation by the council, all heads of departments in the administrative service of the city, except the city comptroller. Subject to the restrictions and limitations in this charter contained, the mayor shall have power to appoint all officers and employes in the subordinate administrative service of the city and to fill all vacancies therein except that laborers and city firemen may be appointed and removed by the heads of departments in which they are employed.'

"Amend Section 10, Article 5, on pages 85, 86 and 87, by striking out all of line 24, on page 85, down to and including all of line 9, page 87, and insert in lieu thereof the following: 'The duties of all officers shall be such as are defined by this charter or as may be prescribed by the city council at any time; and all officers may be required to give bond in such sums as may be fixed by the city council.'

DECKER,
HILL,
PATTESON,
MORRIS,
SAVAGE,

On part of the Senate.
SEABURY,
LOVE,

MURRAY of Burleson,
On part of the House.

Senator Lipscomb moved that the above report be adopted.

The motion prevailed.

FOURTH HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee report to House bill No. 392, the Houston city charter bill.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

HOUSE BILL NO. 462.

The Chair laid before the Senate (a local bill), on second reading,

House bill No. 462, A bill to be entitled "An Act to render more effective and efficient the present road laws of the State of Texas, in its application and operation in the county of Nueces."

Bill read second time, and passed to a third reading.

On motion of Senator Mills, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Morris.
Faubion.	Patteson.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harbison.	Wilson.

Absent.

Beaty.	Lipscomb.
Douglass.	Willacy.
Harper.	

The bill was read third time, and passed by the following vote:

Yeas—26.

Brachfield.	Faulk.
Davidson of	Faust.
DeWitt.	Grinnan.
Davidson of	Hale.
Galveston.	Hanger.
Decker.	Harbison.
Faubion.	Henderson.

Hicks.	Patteson.
Hill.	Paulus.
Lipscomb.	Perkins.
Martin.	Savage.
McKamy.	Sebastian.
Mills.	Stafford.
Morris.	Wilson.

Absent.

Beaty.	Harper.
Cain.	Willacy.
Douglass.	

SENATE BILL NO. 132.

On motion of Senator Hale, pending business (Senate bill No. 158) was suspended, and the Senate took out of its order, Senate bill No. 132.

The Chair laid before the Senate on its second reading,

Senate bill No. 132, A bill to be entitled "An Act to amend Title XV, Chapter 4, of the Code of Criminal Procedure of the State of Texas by adding thereto Article 1129a, relating to fees in examining trials of misdemeanor charges."

Senator Hale offered the following amendment,

"Amend by adding after the end of Article 1129 the following:

"The near approach of the close of the session and the fact that there is now no law authorizing the payment of fees for examining trials in misdemeanor cases creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

Senator Hale offered the following amendment:

"Amend the caption by adding after the word 'charges,' and adding the emergency."

The amendment was adopted.

Bill was read second time and ordered engrossed.

On motion of Senator Hale, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Brachfield.	Faust.
Cain.	Grinnan.
Davidson of	Hale.
DeWitt.	Hanger.
Davidson of	Henderson.
Galveston.	Hicks.
Decker.	Hill.
Faubion.	Lipscomb.
Faulk.	Martin.

McKamy.	Perkins.
Mills.	Savage.
Morris.	Sebastian.
Patteson.	Stafford.
Paulus.	Wilson.

Nays—1.

Harbison.

Absent.

Beaty.	Harper.
Douglass.	Willacy.

The bill was read third time and passed by the following vote,

Yeas—25.

Brachfield.	Hill.
Cain.	Lipscomb.
Davidson of	Martin.
DeWitt.	McKamy.
Davidson of	Mills.
Galveston.	Morris.
Decker.	Patteson.
Faubion.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Henderson.	Wilson.
Hicks.	

Nays—1.

Harbison.

Absent.

Beaty.	Harper.
Douglass.	Willacy.
Faulk.	

INVITATION.

THE UNIVERSITY OF TEXAS,
Austin, Texas.

The club women of Austin and other friends, invite the members of the Senate to a unique and delightful entertainment given by Mr. Lorado Taft of Chicago, at the University Auditorium, Tuesday evening, March 24, at eight o'clock. This invitation includes also the wives of the Senators.

(Senator Davidson of DeWitt in the chair.)

SIMPLE RESOLUTION.

Senator McKamy offered the following resolution:

"Be it resolved by the Senate of Texas, that House bill No. 196 be printed and delivered at once."

Senator Hanger offered the following as a substitute to the resolution:

"Resolved by the Senate, that hereafter all bills be printed in their regular order."

Senator Hanger moved that the Senate adjourn until Monday morning at 10 o'clock.

The motion to adjourn was lost by the following vote:

Yeas—9.

Faust.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Hill.	Wilson.
Paulus.	

Nays—15.

Brachfield.	Harbison.
Cain.	Henderson.
Davidson of	Hicks.
DeWitt.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Morris.
Faubion.	Perkins.
Grinnan.	

Absent.

Beaty.	Lipscomb.
Douglass.	Patteson.
Faulk.	Willacy.
Harper.	

The Senate refused to adjourn until Monday, the question being on the substitute resolution offered by Senator Hanger.

Senator Hanger moved that the Senate adjourn until 9:50 o'clock Monday morning.

The motion to adjourn was lost by the following vote:

Yeas—7.

Decker.	Harper.
Faust.	Hill.
Hale.	Paulus.
Hanger.	

Nays—17.

Brachfield.	Hicks.
Cain.	Martin.
Davidson of	McKamy.
DeWitt.	Mills.
Davidson of	Morris.
Galveston.	Perkins.
Faubion.	Savage.
Grinnan.	Stafford.
Harbison.	Wilson.
Henderson.	

Absent.

Beaty.	Patteson.
Douglass.	Sebastian.
Faulk.	Willacy.
Lipscomb.	

On the substitute resolution, Senator Stafford moved a call of the Senate.

It being duly seconded, the roll was called, the following Senators answering to their names:

Brachfield.	Decker.
Cain.	Faubion.
Davidson of	Faust.
DeWitt.	Grinnan.
Davidson of	Hale.
Galveston.	Hanger.

Harbison.	Mills.
Harper.	Morris.
Henderson.	Paulus.
Hicks.	Perkins.
Hill.	Savage.
Martin.	Stafford.
McKamy.	Wilson.

Absent.

Beaty.	Patteson.
Douglass.	Sebastian.
Faulk.	Willacy.
Lipscomb.	

Senator Henderson moved to excuse the absentees as shown by the foregoing roll call.

The motion prevailed by the following vote:

Yeas—17.

Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Martin.
DeWitt.	McKamy.
Davidson of	Mills.
Galveston.	Morris.
Faubion.	Perkins.
Faust.	Savage.
Grinnan.	Wilson.
Harbison.	

Nays—6.

Hale.	Hill.
Hanger.	Paulus.
Harper.	Stafford.

Absent.

Beaty.	Lipscomb.
Decker.	Patteson.
Douglass.	Sebastian.
Faulk.	Willacy.

Senator Paulus moved that the Senate adjourn until 9:30 o'clock tomorrow.

Senator Brachfield made a point of order that there had been no business transacted between the two motions of adjournment.

The Chair overruled the point of order.

Senator Hicks moved to table the motion to adjourn.

The Chair ruled the motion to table out of order.

The motion to adjourn until 9:30 o'clock tomorrow was lost by the following vote:

Yeas—7.

Decker.	Hill.
Faubion.	Paulus.
Faust.	Stafford.
Hanger.	

Nays—17.

Brachfield.	Davidson of
Cain.	Galveston.
Davidson of	Grinnan.
DeWitt.	Hale.

Harbison.
Harper.
Henderson.
Hicks.
Martin.
McKamy.

Mills.
Morris.
Perkins.
Savage.
Wilson.

Absent.

Beaty.
Douglass.
Faulk.
Lipscomb.

Patteson.
Sebastian.
Willacy.

Senator Mills moved the previous question on the resolution.

Yeas and nays were demanded, and developed no quorum voting, as shown by the following vote:

Yeas—4.

Davidson of Hanger.
Galveston. Harper.
Faubion.

Nays—14.

Brachfield. Martin.
Cain. McKamy.
Davidson of Mills.
DeWitt. Morris.
Grinnan. Perkins.
Harbison. Savage.
Henderson. Wilson.
Hicks.

Absent.

Beaty. Lipscomb.
Decker. Patteson.
Douglass. Paulus.
Faulk. Sebastian.
Faust. Stafford.
Hale. Willacy.
Hill.

CALL OF THE SENATE FOR THE PURPOSE OF OBTAINING AND MAINTAINING QUORUM.

Senator Henderson moved a call of the Senate for the purpose of obtaining and maintaining a quorum.

The call being duly seconded, the roll was called, the following Senators answering to their names:

Brachfield. Harper.
Cain. Henderson.
Davidson of Hicks.
DeWitt. Martin.
Davidson of McKamy.
Galveston. Mills.
Faubion. Morris.
Grinnan. Perkins.
Hanger. Savage.
Harbison. Wilson.

Absent.

Beaty. Hale.
Decker. Hill.
Douglass. Lipscomb.
Faulk. Patteson.
Faust. Paulus.

Sebastian.
Stafford.

Willacy.

The Sergeant-at-Arms was instructed to bring in the absentees.

Senators Sebastian, Faulk, Decker, Lipscomb and Faust were announced at the bar of the Senate.

The Chair (Senator Savage) announced a quorum present.

The roll was called, the following Senators answering to their names:

Brachfield. Harper.
Cain. Henderson.
Davidson of Hicks.
DeWitt. Lipscomb.
Davidson of Martin.
Galveston. McKamy.
Decker. Mills.
Faubion. Morris.
Faulk. Patteson.
Faust. Perkins.
Grinnan. Savage.
Hanger. Sebastian.
Harbison. Wilson.

Absent.

Beaty. Paulus.
Douglass. Stafford.
Hale. Willacy.
Hill.

(President Pro Tem. Davidson of DeWitt in the Chair.)

Senator Mills moved to table the substitute resolution.

Senator Hanger made a point of order that the motion to table was not in order, that no quorum voted on the motion for the previous question.

The Chair ruled that the motion to table was out of order.

The question then being on the substitute resolution, the same was lost by the following vote, yeas and nays being called for:

Yeas—6.

Decker. Hanger.
Faust. Patteson.
Hale. Stafford.

Nays—20.

Brachfield. Henderson.
Cain. Hicks.
Davidson of Lipscomb.
DeWitt. Martin.
Davidson of McKamy.
Galveston. Mills.
Faubion. Morris.
Faulk. Perkins.
Grinnan. Savage.
Harbison. Sebastian.
Harper. Wilson.

Absent.

Beaty. Paulus.
Douglass. Willacy.
Hill.

Question then recurring on the resolution, the same was adopted by the following vote, yeas and nays being called for:

Yeas—19.

Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Martin.
DeWitt.	McKamy.
Davidson of	Mills.
Galveston.	Morris.
Faulk.	Perkins.
Faubion.	Savage.
Grinnan.	Sebastian.
Harbison.	Wilson.
Harper.	

Nays—6.

Decker.	Lipscomb.
Faust.	Patteson.
Hanger.	Stafford.

Absent.

Beaty.	Hill.
Douglass.	Paulus.
Hale.	Willacy.

Senator McKamy moved to reconsider the vote by which the resolution was adopted and lay that motion on the table.

The motion to table prevailed by the following vote:

Yeas—23.

Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Lipscomb.
DeWitt.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Morris.
Faubion.	Patteson.
Faulk.	Perkins.
Faust.	Savage.
Grinnan.	Sebastian.
Harbison.	Wilson.
Harper.	

Nays—2.

Hanger.	Stafford.
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Absent.

Beaty.	Hill.
Douglass.	Paulus.
Hale.	Willacy.

Senator Mills moved that the Senate adjourn until 9:30 o'clock tomorrow morning.

Senator Stafford moved that the Senate adjourn until 10 o'clock Monday morning.

Action being on the longest time first, the Senate refused to adjourn until Monday morning by the following vote:

Yeas—11.

Cain.	Harper.
Decker.	Patteson.
Faulk.	Sebastian.
Faust.	Stafford.
Hale.	Wilson.
Hanger.	

Nays—15.

Brachfield.	Hicks.
Davidson of	Lipscomb.
DeWitt.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Faubion.	Morris.
Grinnan.	Perkins.
Harbison.	Savage.
Henderson.	

Absent.

Beaty.	Paulus.
Douglass.	Willacy.
Hill.	

Action being on the motion to adjourn until tomorrow morning, the Senate, at 10:30 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

ROADS, BRIDGES AND FERRIES.

Committee Room,

Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 314, A bill to be entitled "An Act to regulate the employment of the State penitentiary convicts and to provide for the employment of short term convicts upon the public roads of the several counties,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass with the following committee amendment:

"Amend by striking out all after Section 6, and add to the bill the following sections:

"Sec. 7. The commissioners courts of the various counties of the State may designate any one or all of the public roads in such counties leading into and from the county seats of such counties as roads upon which permanent improvements shall be made, in accordance with the provisions of this act.

"Sec. 8. The work of directing such permanent improvements upon such roads shall begin upon such county seats and shall progress outward toward the

boundaries of the counties in the most direct and practical route leading to the adjoining county seats, excepting such counties as may be border counties when the road shall run in the most direct and practical route to such border lines of any State or territory, or the waters of the Gulf of Mexico, or the waters of the Rio Grande river.

"Sec. 9. Where the State convicts are worked on any public road of any county of this State, as herein provided, the said convicts shall be employed in constructing said permanent improvements, and for no other purposes; provided, however, no county shall be entitled to the provisions of this act which has not first put its own county convicts on its public roads before making application for State convicts.

"Sec. 10. All laws and parts of laws in conflict with the provisions of this act shall be, and the same are hereby repealed.

"Sec. 11. Whereas, there is no provision under existing laws for the employment of short term State convicts on the public roads, and whereas the deplorable condition of the public roads of this State and the universal demand for such legislation together with the near approach of the close of the session of the Legislature create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days should be suspended, and said rule is so suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

FAULK, Chairman.

Committee Room,

Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill Nos. 4, 5 and 39, A bill to be entitled "An Act to provide for the working of short term convicts upon the public roads of the State; defining 'short term convicts;' and to provide regulations for the confinement and safe keeping of such convicts,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*, with the following committee amendment:

"Amend by adding Section 11a.

"The provisions of this act shall not interfere with any existing contract made by the State for the hiring or leasing of convicts, nor with the running or maintaining of any of the industries or

farms belonging to the State. But all contracts for the hire or lease of convicts shall be terminated at the end of one year from the date thereof, and no convict, after the passage of this act, shall be hired or leased out, except as provided herein, nor shall any convict be placed at work on any public road of the county in which he was convicted or resided at the time of his conviction."

FAULK, Chairman.

PUBLIC LANDS AND LAND OFFICE.

Committee Room,

Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Public Lands and Land Office, to whom was referred

House bill No. 255, A bill to be entitled "An Act to confirm sales and awards of public school and asylum lands sold prior to the adoption of the Act approved April 19, 1901, and since the creation of the Act of 1887; to quiet titles to the same, and to provide for the issuance of patents thereto."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

GRINNAN, Chairman.

MAJORITY REPORT.

Committee Room,

Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Public Lands and Land Office, to whom was referred

Senate bill No. 217, a bill to be entitled "An Act to validate all patents and surveys of land in tracts containing 640 acres or less situated in counties in this State, organized between the 14th day of July, 1879, and the 22d day of January, 1883 where said lands have been fully paid for prior to January 22, 1883, at the price authorized in the Act, approved July 14, 1879."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

GRINNAN, Chairman.

MINORITY REPORT

Committee Room,

Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: We, a minority of Your Commit-

tee on Public Lands and Land Office, to whom was referred

Senate bill No. 217, a bill to be entitled "An Act to validate all patents and surveys of land in tracts containing 640 acres or less situated in counties in this State, organized between the 14th day of July, 1879, and the 22d day of January, 1883, where said lands have been fully paid for prior to January 22, 1883, at the price authorized in the Act, approved July 14, 1879."

Do not concur in the report of the majority, but beg to report that the same do not pass.

SAVAGE,
GRINNAN.

JUDICIAL DISTRICTS.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Judicial Districts, to whom was referred

House bill No. 444, A bill to be entitled "An Act to amend Section 3 of an Act entitled 'An Act to reorganize the Thirty-second Judicial District of Texas,'"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that the same be not printed.

(Floor report.)

GRINNAN, Acting Chairman.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Judicial Districts, to whom was referred

House bill No. 262, A bill to be entitled "An Act to reorganize the Sixth Judicial District, and fix the times for holding the terms of court therein, and to repeal all laws in conflict with this Act,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed, with the following amendments:

"Amend by striking out the word 'eight' in line 16, page 1, and insert 'nine.' Strike out the word 'eighth' in line 17, page 1, and insert 'ninth.' Strike out the word 'eleven' in line 20, page 1, and insert 'seven.' Strike out the word 'nineteenth' in line 22, page 1, and insert 'sixteenth.' In line 24 strike out 'five' and insert 'six,' on page 1."

GRINNAN, Acting Chairman.

CONSTITUTIONAL AMENDMENTS.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Constitutional Amendments, to whom was referred

Substitute House Joint Resolution Nos. 2 and 5,

To amend Section 16, Article 16, of the Constitution of the State of Texas, providing for the incorporation of corporate bodies with banking and discounting privileges, prescribing the liabilities of shareholders in the same, providing for the regulation of such corporate bodies, and prohibiting foreign corporations with such powers from doing business in the State, and providing for the submission of such proposed Constitutional amendments as required by law,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

PERKINS, Chairman.

EDUCATIONAL AFFAIRS.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Educational Affairs, to whom was referred

Concurrent Resolution No. 14,

Constituting a joint committee of the Senate and House of Representatives to prepare a report to be submitted at a subsequent session of the Legislature, comprising a revision of the School Laws and making an appropriation to carry out the purpose of the resolution.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

(Floor report.)

STAFFORD, Chairman.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 104, A bill to be entitled "An Act to amend Article 3909a, Title 86, Chapter 7, of the Revised Statutes of Texas of 1901, relating to the public school curriculum."

Have had the same under consideration, and I am instructed to report it

back to the Senate with the recommendation that it *do pass*.

(Floor report.)

STAFFORD, Chairman.

STATE ASYLUMS.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on State Asylums, to whom was referred

Senate bill No. 279, A bill to be entitled "An Act to establish an institution for the adult blind of the State of Texas, and to appropriate money therefor,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

LIPSCOMB, Chairman.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on State Asylums, to whom was referred

Senate bill No. 285, A bill to be entitled "An Act to appropriate twenty-five thousand dollars to build and maintain an Orphans' Home for colored children in Texas, and for the purchase of two hundred acres of land; to provide for the appointment of a board of managers, superintendent and matron for said home, and to define their duties,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

LIPSCOMB, Chairman.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on State Asylums, to whom was referred

House bill No. 390, A bill to be entitled "An Act providing for the admission of epileptics into the epileptic colony; providing for the transfer of epileptics from the insane asylums to said colony; prescribing the duties and powers of certain officers and fixing the compensation, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

LIPSCOMB, Chairman.

STATE AFFAIRS.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on State Affairs, to whom was referred

Senate bill No. 318, A bill to be entitled "An Act to amend Articles 3763, 3764, 3765, 3766, 3767, 3768, 3769, 3770, 3771, 3775, Title LXXXI, of the Revised Civil Statutes of the State of Texas, and to add thereto Articles 3776a, 3776b, and 3776c, providing penalties for the breach of said title regulating the practice of pharmacy within the State of Texas,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

McKAMY, Chairman.

JUDICIARY NO. 2.

MAJORITY REPORT.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

House bill No. 196, A bill to be entitled "An Act to prohibit the buying and selling of pools or receiving or making bets on horse racing, to prohibit leasing of premises for pool rooms, and to provide a penalty for its violation,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

PAULUS, Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: A minority of your Judiciary Committee No. 2, to whom was referred

House bill No. 196, A bill to be entitled "An Act to prohibit the buying and selling of pools or receiving or making bets on horse racing, to prohibit leasing of premises for pool rooms, and to provide a penalty for its violation,"

Do not concur with the majority, and beg to recommend that the accompanying minority report *do pass* as a substitute and in lieu thereof:

A BILL

TO BE ENTITLED

An Act to prohibit any minor to be or remain in any pool room and prohibit-

ing the sale of intoxicating liquors in pool rooms, and prescribing a penalty therefor.

Be it enacted by the Legislature of the State of Texas:

Section 1. If any person, firm, partnership, corporation, joint stock company, association of persons or the agent, representative or manager of same shall permit any person under the age of twenty-one years to be and remain in any room or house occupied or used for pool selling, book making or the taking or accepting of any bet on horse races, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than two hundred dollars nor more than five hundred dollars.

Sec. 2. If any person, firm, partnership, corporation, joint stock company, association of persons, or the agent, representative or manager of same shall permit any intoxicating liquors to be sold in any room or house occupied or used for pool selling, book making or the taking or accepting of any bet on horse races, he shall be deemed guilty of a misdemeanor, and upon the conviction thereof shall be fined not less than two hundred dollars nor more than five hundred dollars.

Sec. 3. If any person, firm, partnership, corporation, joint stock company, association of persons, or the agent, representative, or manager of the same, shall permit any person to be and remain in any room or house used or occupied as a place for pool selling, book making or the taking or accepting bets on horse races after being notified in writing by the wife, mother or father of said person not to permit said person to be or remain in said place, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than two hundred dollars nor more than five hundred dollars.

HANGER.

Committee Room,
Austin, Texas, March 21, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 121, A bill to be entitled "An Act to prohibit the officer, agent or representative of any railroad corporation from giving free transportation over the lines of such railroads to any person other than the employes of such railroad, and to fix a penalty for the violation of this act,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommenda-

tion that it *do not* pass, but that the following substitute do pass:

Be it enacted by the Legislature of the State of Texas:

Section 1. If any person within the State of Texas shall ask or request in any manner of any railway company or corporation, or the agent, representative, attorney or receiver of the same, to issue or procure for such person or any other person any transportation, ticket or pass or the privilege of riding without paying over the line of any railway company or corporation in this State such person asking or requesting same shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in the sum of not less than \$200 nor more than \$1000.

PAULUS, Chairman.

TOWNS AND CITY CORPORATIONS.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Towns and City Corporations, to whom was referred Senate bill No. 317, A bill to be entitled "An Act to amend Sections 8, 12, 120, 141, 145 and 170 of the charter of the city of Dallas as the same exists by virtue of an act entitled 'An Act to incorporate the city of Dallas, and to grant it a new charter,' approved May 9, 1899, and an act amendatory thereto entitled 'An Act to amend Sections 12, 56, 77, 119 and 120 of an act entitled 'An Act to incorporate the city of Dallas, and to grant it a new charter,' approved May 9, 1899, said sections relating to voting precincts, eligibility to office, collection of taxes, the appropriation of revenue, and the issuance of bonds by the said city, to the board of appeals of the said city and its duties, and to the responsibility of the city for damages,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass, and be not printed.

(Floor report.)

HICKS, Chairman.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Towns and City Corporations, to whom was referred Senate bill No. 315, A bill to be entitled "An Act to amend Section 2 of the charter of the city of Dallas, relative to the boundary lines of said city, and adding thereto Section 2a, by changing said boundary and limits of the said city

of Dallas, thereby including the corporation and city of Oak Cliff and annexing the territory thereof to the city of Dallas and abolishing the corporation of the city of Oak Cliff."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

(Floor report.)

HICKS, Chairman.
FEDERAL RELATIONS.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Federal Relations, to whom was referred

Senate bill No. 310, A bill to be entitled "An Act to authorize the Governor of the State of Texas, in conjunction with the President of the United States, to run and mark a boundary line between the Territories of Oklahoma and New Mexico and the State of Texas, and to adjust the titles to certain school lands patented to Greer county by the State of Texas, and to make an appropriation therefor,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass* with the following amendments:

"Strike out all of that portion of the bill that relates to Henry Bradford, which is Section 2 of the bill.

"Amend by adding Section 2, as follows:

"The importance of this measure, the near approach of the present session of the Legislature, and the crowded condition of the calendar, create an emergency and an imperative public necessity exists that the rule requiring bills to be read on three several days be suspended, and that this act take effect from and after its passage, and it is so enacted."

HENDERSON, Chairman.

CONSTITUTIONAL AMENDMENTS.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Constitutional Amendments, to whom was referred

Senate Joint Resolution No. 9, Amending Article 8, of the Constitution by adding thereto Section 20, and providing for the creation of taxing districts and taxation for the purpose of controlling the waters of the Brazos river,

Have had the same under considera-

tion, and I am instructed to report it back to the Senate with the recommendation that it *do pass*, with the following amendment:

"Amend by adding after the figure 20 in caption the words 'and 21,' and after the end of the caption 'and providing for irrigation districts in certain parts of the State,' and by adding after Section 21 the following:

"Section 21. In addition to the powers of taxation granted in the foregoing sections, it shall be lawful for the Legislature of Texas to authorize the land owners of all counties and parts of counties west of the 98th meridian to organize irrigation districts in said counties without regard to county lines.

"In making the provision for the cost of construction of irrigation works within said territory, it shall be lawful to levy taxes and create an indebtedness to rest as a charge on and be secured by a lien on the irrigable land for the use and benefit of which said irrigation works have been or may be constructed.

"The Legislature may authorize such taxes and indebtedness as may be necessary to construct irrigation works within said territory, but no taxes shall be levied nor indebtedness created in any district until authorized by a two-thirds vote of the resident land owners therein whose lands are susceptible of irrigation from the proposed works."

PERKINS, Chairman.

ENGROSSED BILLS.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 143, A bill to be entitled "An Act prescribing how and by whom tickets of railroads shall be sold, and providing for the redemption of tickets and parts of tickets unused, and prescribing penalties for the violation of this Act."

And find the same correctly engrossed.
PATTESON, Chairman.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 255, A bill to be entitled "An Act to amend Articles 529 and 529v, of Chapter 130, of the General Laws of the State of Texas of 1901, and adding thereto Article 520x, relating to the

offenses for the protection of fish, birds game, etc., and repealing all laws in conflict therewith."

And find the same correctly engrossed.
PATTESON, Chairman.

Committee Room,
Austin, Texas, March 20, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 57, A bill to be entitled "An Act to further provide for creation of school districts and appointment of trustees therein, and the apportionment of funds thereto, and declaring an emergency,"

And find the same correctly engrossed.
FAULK, Acting Chairman.

ENROLLED BILLS.

Committee Room,
Austin, Texas, March 19, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 89, A bill to be entitled "An Act to transfer the county of Burleson from the community school system to the district school system, and directing the commissioners court of the said county to subdivide it into convenient school districts,"

And find the same correctly enrolled, and have this day, at 3:40 o'clock p. m., presented the same to the Governor for his approval.

HALE, Chairman.

MEMORIAL.

By Senator Decker:

Austin, Texas, March 20, 1903.

To the Honorable Members of the Senate and House of Representatives.

GENTLEMEN: There is now pending in your respective bodies a bill No. 310, introduced in the Senate by Senator Decker, and in the House of Representatives by Hon. W. B. Ware, No. 591, entitled "An Act to authorize the Governor of Texas, in conjunction with the President of the United States, to run and mark the boundary lines between the territories of Oklahoma and New Mexico and the State of Texas, and to adjust the titles to certain school lands patented to Greer county by the State of Texas."

This bill should become a law before

this Legislature adjourns, so that the boundaries of the State from the Rio Grande to Red River may be readjusted and marked on the ground at the earliest possible moment. This bill is made absolutely necessary for the reason that Congress, on January 15, 1901, passed "An Act to provide for the establishment of the intersection of the true one hundredth meridian with Red River, to ascertain the amount of taxes collected by the State of Texas in what was formerly known as Greer county and the expenditures made on account of said county by said State, and for other purposes."

In pursuance of the authority granted him by this act, the Secretary of the Interior on April 22, and June 10, 1902, submitted his report to Congress on the matters referred to him by said act. Said report is embodied in House Document No. 571, Fifty-seventh Congress, first session, in parts Nos. 1 and 2. This report shows that the one-hundredth meridian on Red River was located by him, under said Act of Congress, 3,699 7/10 feet due east of the old initial monument on Red River, and that a new permanent stone monument was erected at said new point. A line running due north on this corrected meridian line will give the State of Texas about three-fourths of a mile more territory at said point and removes the west boundary line of Oklahoma three-fourths of a mile further east. This line has never been run north from this newly fixed monument, but will be run and permanently marked by the act I am now urging you to pass. The west boundary line of Texas, along the one hundred and third meridian, which separates the Panhandle of Texas from New Mexico is also in an unsettled condition. On June 5, 1858, Congress passed an act to run and mark a boundary line between Texas and New Mexico and the Territory now known as Oklahoma, and John H. Clark was appointed as commissioner on the part of the United States to run said lines. The Legislature of the State of Texas the same year passed a corresponding act, and William Scurry was appointed as Texas commissioner to run and mark said line. In 1859 these commissioners began said survey, but disagreed, and Scurry withdrew from the surveying party before the work was finished, and Clark alone completed the work. They began the survey on the Rio Grande river, a few miles above El Paso, and ran east on the thirty-second parallel of north latitude to the southeast corner of New Mexico. They then ran north 70 miles along the 103 degree of west longitude. This brought them out on the Staked Plains, where they were

forced to abandon the survey for want of water. They returned to the Pecos river and went up that stream and established the northwest corner of Texas, astronomically; they then ran south 184 miles along the 103 degree of west longitude; this again brought them out on the Staked Plains, where they were forced a second time, by want of water, to abandon the survey, thus leaving 56 miles of this line wholly unmarked and unsurveyed. The commission supposed that these lines, if protracted, would meet and form one straight continuous line, and so reported; and this line so run by Clark has been approved by Congress, and the Texas Legislature. These lines were run 44 years ago, when the country was wild and wholly unsettled, and many of the monuments erected by them have been wholly destroyed. Recent resurveys of said lines across the Plains, made by State Surveyor W. D. Twitchell, of Amarillo, and Mr. W. S. Mabry, of Channing, show conclusively that one of the Clark lines is incorrect, for the reason that when prolonged they fail to meet by several hundred varas. Which of these lines is the more nearly correct has never been determined, nor is it necessary that the same be determined, for the reason that the line as originally run and marked by said Clark has already been adopted by Texas and the United States as stated above. The only solution of the question in my judgment is the one proposed in the bills now before this Legislature. This bill is a copy of the bill introduced by me in Congress, and I am confident that it will pass the next term of Congress.

It proposes another joint commission, and instructs the commissioners to run a straight line between the nearest points determined by the Clark survey and the monuments now found on the ground shall determine the position and course of the said boundary line. It further provides that a new line shall be run and marked, along the west boundary of Oklahoma and the east boundary line of the Texas Panhandle, from the new monument on Red River above described, to the northeast corner of the Texas Panhandle. This line so run will give the State of Texas a strip of land off of the west side of Oklahoma, the amount of which can only be ascertained by an actual survey. The second section of said act of Congress passed in 1901, above alluded to, in addition to settling the disputed boundary question also required the Secretary of the Interior to ascertain what school land Greer county had received from the State of Texas, and what disposition had been made of

the same. His report shows that Greer county received a patent from the State of Texas for 17,712 acres of land, and that it had all been sold by Greer county, and that one tract of 10,476 acres had been sued for by the State, the style of the suit being The State of Texas vs. Wm. Cameron & Co., and that the State in said suit sought to set aside the patents to Greer county, and to recover said lands, and that on May 29, 1902, the Supreme Court of Texas decided to issue against the State, and sustained the title of Wm. Cameron & Co. to said school land. The said reports show that said school land is worth \$1.50 per acre, and recommends that the sum of \$15,714 be paid to the State of Texas by the United States, and he further reports that an adjustment of accounts between the United States and the State of Texas show that the United States owes said State the sum of \$50,874.53 in a full settlement and adjustment of all claims arising out of the transfer of Greer county from the State of Texas to the United States. On June 6, 1902, I introduced a bill in Congress to refund to the State of Texas said sum of money. I am confident that this bill will become a law next winter. This adjustment settles all the issues raised by the Act of Congress of 1901, except the adjustment of the title to the 7,236 acres of school land sold by Greer county, and by mesne conveyances the legal title is now held by Henry Bradford of Wilbarger county. The last section of said bill equitably adjusts the title of said tract of school land by requiring said Bradford to reconvey the same to the State of Texas, and to release Greer county, Oklahoma, from any and all legal or equitable obligation to him relative to the sale of said land; and the State of Texas agrees to give him the prior right to purchase said land on the terms stated in the bill, thus protecting the State from loss, and preventing further litigation, and settling all matters between said parties and fully carrying into effect said second section of said Act of Congress of 1901. This bill has been favorably reported in the Senate without amendment, by the Committee on Federal Relations, and I hope that it will be taken up and promptly passed and become a law, as such action on the part of the Texas Legislature would greatly aid your memorialist and the Texas delegation in both branches of Congress in securing the passage of the corresponding bills introduced by me in Congress as above stated. Texas would then secure the money coming to her from the United States in the Greer county matter, and all boundary ques-

tions now harrassing the people on the borders of New Mexico and Oklahoma would thereby be definitely and permanently settled.

Respectfully submitted.

JNO. H. STEPHENS.

FORTY-SECOND DAY.

Senate Chamber,
Austin, Texas, Saturday, March 21, 1903.

Senate met pursuant to adjournment.
President Pro Tem. Davidson of DeWitt in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Wilson.

Absent.

Beaty. Willacy.
Douglass.

ROLL CALL OF OFFICERS AND EMPLOYEES.

Present.

Clyde D. Smith.
W. E. DeLamar.
R. M. Gilmore.
Amos Wynne.
W. M. Cobb.
Eldred McKinnon.
Mrs. Laura V. Grinnan.
F. P. Smith.
Miss Lucy Lane.
C. H. Allen.
D. F. Hughes.
Frank Mullins.
Rev. I. S. Davenport.
Miss May Fant Odom.
J. C. Son.
Miss Georgia Sturgiss.
Mrs. Hattie Yarbrough.
Miss Emily Holcomb.
Mrs. J. R. Van Orden.
Miss Bessie Goldstein.
Miss L. Stanley.
W. T. Pace.
W. A. Shaw, Jr.
Lucien Goss.
Herbert Davenport.

Charlie Lane.
Willie Gibson.
Henry Paulus.
Evetts Thornhill.
Walter Savage.
Willie Gray.
Ed Underhill.
John Durst.
Will Bartley.
Reed Pierson.
Dan Edwards.
Josh Pyles.
Ellis Monroe.
Albert Hill.
Mark Marsh:

Absent.

Jamie Snipes.

Absent—Excused.

C. J. Kirk.
Mrs. Hope H. Hawkins.
Jas. Sebastian.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday,

On motion of Senator Mills, the same was dispensed with.

COMMITTEE REPORTS.

The following committee reports were offered:

JUDICIARY NO. 2.

Committee Room,
Austin, Texas, March 21, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

House bill No. 199, A bill to be entitled "An Act to amend Section 1, of Article 1093, Title XV, of the Code of Criminal Procedure of the State of Texas, so as to provide for the payment of any witness who may have been recognized, subpoenaed or attached and given bond for his appearance before any grand jury out of the county of his residence, to give testimony in a felony case, and who shall appear in compliance with the obligation of such recognizance or bond,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

PAULUS, Chairman.

Committee Room,
Austin, Texas, March 21, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred